

# **Business Registration (Amendment) Bill**

## **Table of Contents**

**Bill No: 31/1999**

***Read the first time: 11th October 1999***

**Long Title**

**Enacting Formula**

**1 Short title and commencement**

**2 Amendment of section 2**

**3 Amendment of section 4**

**4 Amendment of section 6**

**5 Amendment of section 9**

**6 Amendment of section 11**

**7 Amendment of section 12**

**8 Amendment of section 13**

**9 Amendment of section 16**

**10 New sections 16A and 16B**

**11 Amendment of section 18**

**12 Amendment of section 19**

**13 Amendment of section 23**

**14 New section 23A**

**15 Amendment of section 24**

**16 Repeal and re-enactment of section 26**

**17 Amendment of section 28**

**18 Amendment of section 30**

**19 Amendment of section 31**

**20 New sections 31A, 31B and 31C**

**21 Amendment of section 32**

**22 Amendment of Second Schedule**

**Explanatory Statement**

**Expenditure of Public Money**

### **Business Registration (Amendment) Bill**

**Bill No. 31/1999**

*Read the first time on 11th October 1999.*

An Act to amend the Business Registration Act (Chapter 32 of the 1985 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

#### **Short title and commencement**

**1.** This Act may be cited as the Business Registration (Amendment) Act 1999 and

shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

### **Amendment of section 2**

2. Section 2 of the Business Registration Act (referred to in this Act as the principal Act) is amended —

- (a) by deleting the word “rules” in the definition of “register” in subsection (1) and substituting the word “regulations”; and
- (b) by inserting, immediately after the words “doing of” in the last line of subsection (3), the words “or omission to do”.

### **Amendment of section 4**

3. Section 4 of the principal Act is amended —

- (a) by deleting the words “without any addition” in subsection (1)(j); and
- (b) by deleting the words “a business name which consists of its corporate name without any addition” in subsection (2) and substituting the words “its corporate name”.

### **Amendment of section 6**

4. Section 6 of the principal Act is amended by deleting subsection (1) and substituting the following subsections:

“(1) Every person who makes an application under section 5 for registration under this Act shall lodge with the Registrar a statement in such medium and in such form as the Registrar may determine containing the following particulars:

- (a) the business name;
- (b) the general nature of the business;
- (c) the principal place of business and any other place where the business is carried on;
- (d) the name, identification (if any), nationality and the usual place of residence of every person responsible for the management of the business;
- (e) where the business is to be carried on by a firm, the name, identification (if any), nationality and the usual place of residence of every partner and, where a partner is a corporation, the corporate name, registration number and registered office of the corporation;

- (f) where the business is to be carried on by an individual, the name, identification (if any), nationality and the usual place of residence of that individual;
- (g) where the business is to be carried on by a corporation, its corporate name, registration number and registered office; and
- (h) the date or proposed date of commencement of business.

(1A) The Registrar may, in any particular case where he thinks fit, require the statement referred to in subsection (1) to be verified by an approved company auditor, a solicitor, a notary public or a practising member of the Singapore Association of the Institute of Chartered Secretaries and Administrators, or affirmed by a statutory declaration made by the person who signed the statement.

(1B) In this section —

“approved company auditor” and “solicitor” have the same meanings as in the Companies Act (Cap. 50);

“identification”, in the case of any person issued with an identity card, means the number of the identity card and, in the case of a person not issued with an identity card, the particulars of the passport or such other similar evidence of identification as is available.”.

## **Amendment of section 9**

5. Section 9 of the principal Act is amended —

- (a) by deleting subsections (2) and (3) and substituting the following subsections:

“(2) The Registrar shall, upon the registration of a person in accordance with subsection (1), issue to that person a certificate of registration in such form as the Registrar may determine.

(3) A certificate of registration issued under this section shall be valid for a period of 3 years and shall, subject to the provisions of this Act and upon payment of the prescribed fee in such manner and through such channels as determined by the Registrar, be renewable for a period of 3 years in respect of each renewal.”;

- (b) by inserting, immediately after the word “issue” in the 1st line of subsection (6), the words “or renewal”; and
- (c) by inserting, immediately after subsection (6), the following subsection:

“(7) A certificate of registration issued or renewed under this section may be sent by post to the person registered and the certificate or certified copy thereof shall be exhibited in a conspicuous place at the principal place of business of the person and at every other place where the person carries on business.”.

## **Amendment of section 11**

### **6. Section 11 of the principal Act is amended —**

- (a) by inserting, immediately after the word “business” in paragraph (a), the words “or a name that is being reserved under section 27 of the Companies Act (Cap. 50)”;
- (b) by inserting, immediately after the word “business” in the 3rd line of paragraph (b), the words “or a name that is being reserved under section 27 of the Companies Act”;
- (c) by deleting the words “6 weeks” in the 20th line and substituting the words “30 days”; and
- (d) by inserting, immediately after the word “may” in the penultimate line, the words “, within 30 days of the date of the decision,”.

## **Amendment of section 12**

### **7. Section 12 of the principal Act is amended —**

- (a) by deleting the words “furnish, by sending by post or by delivering to the Registrar, a statement in writing in the form and manner prescribed” in the 5th, 6th and 7th lines of subsection (1) and substituting the words “lodge with the Registrar a statement in such form as the Registrar may determine”; and
- (b) by deleting subsection (2) and substituting the following subsections:

“(2) Where a person ceases to be a partner of a firm registered under this Act, that person and the persons who continue to be registered as partners of the firm shall, within 14 days after the cessation, lodge with the Registrar a statement in such form as the Registrar may determine notifying the Registrar of the cessation.

(2A) Where any person required to lodge the statement referred to in subsection (2) cannot be located or found, the Registrar may allow the other persons who are required to do so to lodge the statement.