# Trust Companies Act 2005 (No. 11 of 2005)

**Table of Contents** 

**Long Title** 

**Enacting Formula** 

#### **Part I PRELIMINARY**

- 1 Short title and commencement
- 2 Interpretation

# Part II Licensing of trust companies

- 3 Restriction on carrying on trust business
- 4 Application for trust business licence
- 5 Grant of trust business licence
- 6 Licence fee
- 7 Power of Authority to impose conditions or restrictions
- 8 False statements in relation to application for grant of licence
- 9 Notification of change of particulars
- 10 Lapsing, revocation and suspension of licence
- 11 Restriction on cessation of business or surrender of licence
- 12 General provisions as to winding up

- 13 Approval of resident manager and director of licensed trust company
- 14 Removal of officer of licensed trust company
- 15 Exempt persons

### Part III CONTROL OF VOTING POWERS AND SHAREHOLDINGS

- 16 Control of shareholdings and voting power in licensed trust company
- 17 Application for approval of Authority to become controller of licensed trust company
- 18 Objection to existing control
- 19 Licensed trust company to furnish to Authority information relating to controllers, etc.
- 20 Offences, penalties and defences
- 21 Shareholding or control in other corporations

#### Part IV PROBATE AND ADMINISTRATION

- 22 Licensed trust company may act as executor
- 23 Licensed trust company may be authorised to apply for probate or administration
- 24 Procedure as to probate applications
- 25 Licensed trust company not to furnish security
- 26 Guardianship of person prohibited

#### Part V CONDUCT OF BUSINESS

## 27 Priority to orders of protected parties

## Part VI BOOKS, ACCOUNTS AND AUDIT

#### Division 1 — Books and accounts

28 Keeping of books and furnishing of returns

#### Division 2 — Audit

- 29 Appointment of auditors
- 30 Lodgment of annual accounts, etc.
- 31 Reports by auditor to Authority in certain cases
- 32 Power of Authority to appoint auditor
- 33 Offence to destroy, conceal, alter, etc., books
- 34 Safeguarding of books
- 35 Restriction on auditor's and employee's right to communicate certain matters
- 36 Additional powers of Authority in respect of auditors
- 37 Defamation

#### Part VII SUPERVISION AND INVESTIGATION

#### Division 1 — General

- 38 Self-incrimination
- 39 Savings for advocates and solicitors

## Division 2 — Inspection powers of Authority

# **40 Inspection by Authority**

# Division 3 — Investigative powers of Authority

- 41 Investigation by Authority
- 42 Power to order production of books
- 43 Application for warrant to seize books not produced
- 44 Powers where books are produced or seized
- 45 Powers where books not produced
- 46 Offences under this Division

#### Part VIII DISCLOSURE OF INFORMATION

- 47 Inspection in Singapore by parent supervisory authority
- 48 Confidentiality of inspection and investigation reports
- **49 Confidentiality**

#### **Part IX APPEALS**

- 50 Appeals
- 51 Appeals to Minister
- **52 Appeal Advisory Committees**
- 53 Disclosure of information
- 54 Regulations for purposes of this Part

#### **Part X MISCELLANEOUS**

- 55 Registration of trust company as shareholder, etc., not notice of trust
- 56 Trusteeship
- 57 Joint tenancy
- 58 Licensed trust company may act as agent
- 59 Trust funds to be kept separate
- 60 Unclaimed money to be paid into court
- 61 Falsification of records by officer, auditor, employee or agent of licensed trust company
- 62 Duty not to furnish false information to Authority
- 63 Jurisdiction of court
- **64 Offences by bodies corporate**
- 65 Offences by officers
- 66 General penalty
- **67 Penalty for corporations**
- **68 Proceedings with consent of Attorney-General**
- 69 Composition of offences
- 70 Power to make regulations giving effect to treaty, etc., relating to trust business
- 71 Opportunity to be heard
- 72 Power to reprimand for misconduct