

# **Business Registration (Amendment) Bill**

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**Bill No: 36/2008**

***Read the first time: 17th November 2008***

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

**Bill No. 36/2008**

*Read the first time on 17th November 2008.*

An Act to amend the Business Registration Act (Chapter 32 of the 2004 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 2008 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(1) of the Business Registration Act (referred to in this Act as the principal Act) is amended —

- (a) by deleting the definition of “certificate of registration” and substituting the following definition:

““certificate of confirmation of registration” means a certificate issued under section 8(3);” and

- (b) by inserting, immediately after the definition of “inspector”, the following definition:

““notice of registration” means a notice issued under section 8(2);”.

### **Amendment of section 4**

3. Section 4 of the principal Act is amended —

- (a) by deleting the word “This” in subsection (1) and substituting the words “Subject to subsection (1A), this”; and
- (b) by inserting, immediately after subsection (1), the following subsections:

“(1A) Subsection (1)(g) shall not apply to any person, or any class of persons, prescribed under any regulations made under section 37 as a person to whom, or a class of persons to which, subsection (1)(g) shall not apply.

(1B) The regulations referred to in subsection (1A) may —

- (a) in the case of any person prescribed under those regulations, or belonging to a class of persons prescribed under those regulations, who is carrying

on any business consisting solely of the exercise of any profession under any written law, provide for —

- (i) the transfer to the Registrar of any particulars of that person which are registered or otherwise recorded under that written law; and
  - (ii) the automatic registration under this Act of that person without any action on his part, and the exemption of that person from any requirement under Part II, for such period and subject to such conditions as may be prescribed; and
- (b) contain such transitional, savings and consequential provisions as may be necessary to cater for the cessation of the application of subsection (1)(g) to any person or class of persons prescribed under those regulations.”.

### **Amendment of section 13**

#### **4. Section 13 of the principal Act is amended —**

- (a) by deleting subsection (4) and substituting the following subsection:

“(4) Notwithstanding anything in this section, where the Registrar is satisfied that a person has been registered (whether through inadvertence or otherwise, whether originally or by a change of name and whether before, on or after the date of commencement of the Business Registration (Amendment) Act 2008) to carry on business under a name —

- (a) which is referred to in subsection (1)(a), (b) or (d);
- (b) which so nearly resembles the name of any corporation or any other business name as to be likely to be mistaken for it; or
- (c) the use of which has been restrained by an injunction granted under the Trade Marks Act (Cap. 332),

the Registrar may direct the person to change the name under which