

# **Business Registration Bill**

## **Table of Contents**

**Bill No: 38/1973**

***Read the first time: 11th July 1973***

**Long Title**

**Enacting Formula**

### **Part I PRELIMINARY**

**1 Short title and commencement**

**2 Interpretation**

**3 Appointments**

**4 Exemptions**

### **Part II REGISTRATION**

**5 Application for registration**

**6 Manner and particulars of registration**

**7 Registration by nominee**

**8 Statement to be signed by persons registering**

**9 Registration**

**10 Use of business names**

**11 Restriction on registration of similar business names**

**12 Registration of changes in particulars**

**13 Cessation of business**

**14 Rectification of register**

**15 Rectification of mistakes**

**16 Request for copy of statements registered, etc.**

**17 Disability of persons in default**

**Part III MISCELLANEOUS**

**18 Appeal**

**19 Inspection**

**20 Power of Registrar to obtain further information**

**21 Business carried on by local managers**

**22 Restrictions on undischarged bankrupt being manager**

**23 Offences**

**24 Power to compound offences**

**25 Officers and inspectors deemed to be public servants**

**26 Destruction, etc., of old records**

**27 Enforcement of duty to make returns**

**28 Liability of partners, directors, etc.**

**29 Government and its servants not liable to suit**

**30 Persons carrying on unlawful business**

**31 Service of notices**

**32 Power to make regulations**

**33 Saving for other written law**

**34 Repeal**

**35 Transitional provisions**

**FIRST SCHEDULE**

**SECOND SCHEDULE**

**Explanatory Statement**

**Expenditure of Public Money**

**Business Registration Bill**

**Bill No. 38/1973**

*Read the first time on 11th July 1973.*

An Act to provide for the registration of persons carrying on business in Singapore and for matters incidental thereto; and to repeal the Business Names Act (Chapter 183 of the Revised Edition).

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

**PART I**

**PRELIMINARY**

**Short title and commencement**

1. This Act may be cited as the Business Registration Act, 1973 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

## Interpretation

2.—(1) In this Act, unless the context otherwise requires —

“business” includes every form of trade, commerce, craftsmanship, calling, profession and any activity carried on for the purposes of gain but does not include any office, employment or occupation, or any of the businesses specified in the First Schedule;

“business name” means the name or style under which a person carries on business;

“certificate of registration” means a certificate issued under the provisions of section 9;

“corporation” means a company registered under the Companies Act (Cap. 185) or under any corresponding previous legislation and includes any body corporate formed or incorporated outside Singapore and any branch or subsidiary thereof;

“firm” means an unincorporated body of two or more individuals, or one or more individuals and one or more corporations, or two or more corporations, who have entered into partnership with one another with a view to carrying on business for profit;

“foreign firm” means any firm, individual or corporation whose principal place of business is situated outside Singapore;

“individual” means a natural person and includes an administrator, executor, liquidator, trustee, nominee of any person, guardian and committee having a direct control or management of any business but does not include a corporation;

“inspector” means a person authorised in writing by the Registrar to be an inspector for the purposes of this Act;

“person” includes a corporation, firm, foreign firm and individual;

“person responsible for the management of a business” includes every director, manager, partner, officer, individual, secretary, agent or servant at any time charged either solely or to a substantial extent with the management of a business;

“register” means any register kept under or by virtue of the provisions of this Act

or of any rules made thereunder;

“Registrar” means the Registrar of Businesses appointed under section 3 and includes any Deputy Registrar or Assistant Registrar of Businesses appointed under that section.

(2) A person who has a place of business in Singapore shall be deemed to be carrying on business in Singapore for the purposes of this Act.

(3) Where a person carrying on business is required under this Act to do any act or thing, the person responsible for the management of the business for or on behalf of the first-mentioned person shall also be answerable for the doing of such act or thing.

### **Appointments**

3.—(1) The Minister may appoint a public officer by name or office to be the Registrar of Businesses and may also appoint from amongst public officers such Deputy Registrars and Assistant Registrars of Businesses as he may consider necessary for the purposes of this Act.

(2) The Registrar may, subject to such conditions or restrictions as he thinks fit, for the purposes of the administration of this Act delegate to any person all or any of the powers, functions and duties vested in him by this Act.

(3) The Registrar shall be responsible generally for the carrying out of the provisions of this Act and for the collection of the fees thereunder and shall pay all amounts collected in respect thereof into the Consolidated Fund.

### **Exemptions**

4.—(1) The provisions of this Act shall not apply to —

- (a) any individual or class of individuals carrying on any of the businesses specified in the First Schedule;
- (b) any statutory authority or other body established under any written law;
- (c) any institution, society or person specified in the First Schedule to the Income Tax Act (Cap. 141);
- (d) any society registered under the Societies Act (Cap. 262);
- (e) any society registered under the Co-operative Societies Act (Cap. 186);
- (f) any mutual benefit organisation registered under the Mutual Benefit Organisations Act (Cap. 254);