

## **PRACTICE DIRECTION NO. 5 OF 2006**

### **NOTIFICATION UNDER S62B(7) OF THE COMPANIES ACT, CAP 50**

This practice direction informs the public of the procedure for filing the above Notification on or after 1st August 2006.

#### **Background**

2. In Practice Direction 1 of 2006 issued on 12<sup>th</sup> January 2006, ACRA informed that companies that have received share premiums and have capital redemption reserves may update these amounts to the share capital using the new form called "Notification of Share Capital under section 62B(7) within 6 months after 30<sup>th</sup> Jan 2006 or before confirming their Summary of Returns.

3 Under Section 62B(7) of the Companies Act, Cap 50, a company may

a) at any time before the date it is required under section 197 (4) to lodge its first annual return after the appointed date (ie 30<sup>th</sup> January 2006), or

b) before the expiry of 6 months from the appointed day, whichever is the earlier, or

c) within such longer period as the Registrar may, if he thinks fit in the circumstances of the case, allow,

file with the Registrar a notice in the prescribed form of its share capital (ie the Notification of Share Capital under section 62B(7) ["Notification"] ).

4. The law has specified a time frame to ensure that ACRA's records which are made available to the public are accurate and up-to-date.

#### **Extension of Time until 31 August 2006 for Lodgement**

5. ACRA has received feedback that companies may require more time to file the Notification and has decided to allow **a further 1 month period until 31<sup>st</sup> August 2006** for companies to file the Notification if they wish to. No fee or penalty is payable for lodgements made on or before 31<sup>st</sup> August 2006. ACRA will remove the Notification from the BizFile menu on 1<sup>st</sup> September 2006.

## **Lodgement of Notification on or after 1<sup>st</sup> Sep 2006**

6. Any company that wants to lodge the Notification after 1<sup>st</sup> September 2006 will have to apply for extension in writing, supported with reasons for the delay. A fee of \$30 under item 112 of the Second Schedule of the Act (lodgement of any other application to the Registrar) is payable for the application. If the application is granted, the Notification must be lodged with the General Lodgement form and a filing of \$10 as prescribed under item 114 is also payable.

## **Legal Provisions**

7 The legal provisions relevant to and referred to in this Practice Direction are:

- a. Section 62B(7) of the Companies Act, Cap 50
- b. Items 112 and 114 of the Second Schedule of the Companies Act, Cap 50

## **Related Practice Directions**

8 The related Practice Direction is Practice Direction 1 of 2006 Companies (Amendment) Act 2005.

## **Enquiries**

9. If you have any queries related to this issue, please forward the enquiries to [www.acra.gov.sg/enquiry](http://www.acra.gov.sg/enquiry).

Issued on 1<sup>st</sup> August 2006

Ms Juthika Ramanathan  
Chief Executive and Registrar of Companies  
Accounting and Corporate Regulatory Authority (ACRA)  
SINGAPORE