

Striking Off

Q1. Why have I received an ACRA-initiated Striking Off (ASO) notice?

A: ACRA can strike off a company under Section 344(1) of the Companies Act 1967, if there is reasonable cause to believe that a company is not carrying on business or is not in operation. The most common reason is the failure to file Annual Return(s). When the striking off process commences, ACRA will send a letter to give notice of the intention to strike the company's name off the register ("Striking Off Notice"). The Striking Off Notice will be sent to the company, its directors, company secretaries, and shareholders.

Section 344(1) of the Companies Act 1967 states that where the Registrar has reasonable cause to believe that a company is not carrying on business or is not in operation, the Registrar may send to the company, and its directors, secretaries, and members, a letter to that effect. If an answer showing cause to the contrary is not received within 30 days after the date of the letter, a notice will be published in the Gazette with a view to striking the name of the company off the register.

Q2. What do I need to do to prevent my company from being struck off?

A: If you wish to object to the striking off, please submit an "Objection against striking off" via Bizfile within 30 days from the date of the Striking Off Notice. There is no fee payable for this transaction. The status of the company at this stage is still "Live" and the company remains registered with ACRA. More details on how to lodge an objection can be found here under 'Who can object and how to lodge an objection against striking off'. For a step-by-step guide, you can refer to this document.

Please also ensure that your annual returns are filed up-to-date. Under Companies Regulations, the failure to file annual returns is a circumstance to which the Registrar may have regard when determining whether a company is carrying on business.

Q3: What is the most common error when filing an objection via Bizfile?

A: When filing objections, do ensure that all mandatory fields are completed. If you encounter "This field is required" error when lodging an objection via Bizfile, please update your corporate email address via Manage > Update information > Update entity information > click 'edit' Basic information > check 'Update entity email address' and provide 'Entity email address'. After the corporate email address is updated, you can proceed to lodge the objection again.

Q4. What happens if no objection or if the objection is disallowed within the 30 days after the date of Striking Off Notice?

A: If no objection is received within 30 days after the date of the Striking Off Notice, ACRA will publish the name of the company in the Government Gazette, with a view to striking the name of the company off the register. This is known as the First Gazette Notification. At this stage, the status of the company is “Gazetted to be Struck Off”.

After 60 days from the First Gazette Notification, if there is no objection, ACRA will publish the name of the company in the Government Gazette and the name of the company will be struck off the register. The date that the company is struck off will be stated. This is known as the Final Gazette Notification. At this stage, the status of the company is “Struck Off”. This means the company has been removed from ACRA’s register and no longer has legal existence.

Q5. Will a director be disqualified if his company is struck off by ACRA from ACRA’s register?

A: Under Section 155A of the Companies Act 1967, a director who has three or more of his companies struck off the register by ACRA under Section 344(1) of the Companies Act 1967 within a period of five years will be disqualified from acting as a director. Once a person is disqualified, he will not be allowed to be a director or take part in the management of any company for a period of three years commencing after the date on which the third company was struck off. A repeat offender will be disqualified for a period of five years.

Please note that this does not apply to companies that have been struck off own its own.

Q6: Can you apply to strike off a company that has received court summonses?

A: Companies that have received court summonses are required to resolve the matter before submitting the application to strike off. Please also ensure the company is able to meet all striking off criteria before submitting the application. Access the full list of criteria [here](#).

Q7: I have outstanding AR but no court summons, and I wish to close this company. Can I file for strike off?

A: The company may proceed to apply for striking off if all the [striking off criteria](#) is met, and you are advised to continue to monitor the striking off process until the company is successfully struck off. The entire strike off process will take 3 to 4 months. If there are objections during the process, this timeline may be longer. If the striking off process is unsuccessful and the company remains 'live' on Register, please ensure the company fulfils all the statutory obligations, including the filing of AR up to date.

Q8: Are there any supporting documents required to apply for striking off?

A: No supporting documents are required for the application of striking off. However, please ensure the company is able to meet all striking off criteria before submitting the application. Access the full list of criteria on [here](#).

Q9: How do I clear an objection to striking off?

A: In the event of an objection, ACRA will send a letter to inform the company. This letter will indicate the objector's name and objection reason. Resolve the matter with the objector and clear the objection within 2 months, otherwise your striking off application will lapse. Please refer to the infographic [here](#) for the full journey to strike off a company.

Q10: Can I restore a company that has been struck off?

A: A company can be restored through a court order within 6 years after the company's name has been struck off. This court order must be lodged via Bizfile. Please refer to the infographic [here](#) for the full journey to strike off a company.