

MAS Notice 815

24 December 2018

Last revised on 29 March 2019*

NOTICE TO FINANCE COMPANIES AND AUDITORS
FINANCE COMPANIES ACT, CAP. 108

(MAS Notice 815 dated 21 February 1978 is cancelled with effect from 24 December 2018)

AUDITORS' REPORTS AND ADDITIONAL INFORMATION TO BE SUBMITTED WITH
ANNUAL ACCOUNTS

This notice is issued pursuant to section 30(1) and 41 of the Finance Companies Act (Cap. 108) [“the Act”], and applies to all finance companies and auditors of the finance companies.

Definitions

2 In this Notice, “auditor” means an auditor appointed by –
(a) a finance company under section 41 of the Act; or
(b) the Authority under section 41(3) of the Act.

3 The expressions used in this Notice shall, except where expressly defined in this Notice or where the context otherwise requires, have the same meanings as in the Act.

Reports of the Auditor of the Finance Company

4 For the purposes of section 30(1) of the Act, every finance company shall furnish to the Authority the following documents:

(a) a copy of the auditors’ long form report, which shall include –

(i) findings and recommendations, if any, on –

(A) the accounting system, internal controls, quality of loans and advances and other assets of the finance company; and

(B) non-compliance with the Act, Companies Act (Cap. 50), directions issued by the Authority, or any other relevant laws and regulations, or non-observance of guidelines issued by the Authority; and

(ii) comments on any other areas of weaknesses;

(b) a copy of the auditors' supplementary report, which shall be addressed to the chief executive of the finance company and shall contain the auditors' statement as to whether, during the course of their examination, anything came to their notice that caused or led them to believe that –

(i) known bad debts of material amounts had not been written off or fully provided for;

(ii) adequate provision had not been made for known material doubtful debts and for any material impairment of other assets; or

(iii) there was non-compliance with the Act, Companies Act (Cap. 50), directions issued by the Authority, or any other relevant laws or regulations, or non-observance of guidelines issued by the Authority; and

(c) a copy of the auditor's report referred to in paragraph 5(b).

5 Pursuant to sections 41(5)(c) and (d) of the Act, an auditor of a finance company shall –

(a) perform a limited assurance engagement in accordance with the Singapore Standard on Assurance Engagements 3000 (Revised) issued by the Institute of Singapore Chartered Accountants in respect of the reporting schedules submitted by the finance company under Part X of MAS Notice 832 on Risk Based Capital Adequacy Requirements for Finance Companies Incorporated in Singapore, which relate to the end of each financial year of the finance company or the end of any other calendar quarter within the financial year of the finance company as the Authority may approve ("Reporting Date") (referred to in this Notice as "Reporting Schedules"); and

(b) issue a report stating whether, pursuant to its limited assurance engagement in sub-paragraph (a), anything came to the auditor's attention that caused it to believe that the Reporting Schedules have not been prepared, in all material respects, in accordance with the requirements of that Notice.

6 Pursuant to section 30(1) of the Act, a finance company that has established one or more branches in any country outside Singapore shall notify the Authority within a week upon receipt of the relevant supervisory authority's or auditor's report on the finance company's overseas operations, and furnish to the Authority the report as soon as practicable.

Additional Information

7 Pursuant to section 30(1) of the Act, any finance company shall furnish to the Authority the following information:

(a) consolidated audited financial statements of the finance company and its subsidiaries, together with the separate financial statements of any corporation in which the finance company holds, directly or through any subsidiary of the finance company, 20% or more of the issued share capital; and

(b) the annual audited consolidated financial statements of the finance company's ultimate holding company as defined in section 5A of the Companies Act (Cap. 50),

as soon as practicable.

8 For the purpose of section 41(5)(c) and (d) of the Act, the auditors of any finance company – who is a Scheme Member as defined under the Deposit Insurance and Policy Owners' Protection Schemes Act (Cap. 77B), shall in the auditors' statement opine on whether –

(a) the Schedule I return referred to in Notice DIA-N01 on Deposit Insurance Returns has been prepared, in all material respects, in accordance with the requirements of Notice DIA-N01; and

(b) during the course of their audit, anything came to their attention that caused them to believe that the requirements under Notice DIA-N01 have not been complied with.

Date of Submission

9 Pursuant to section 30(1) of the Act, every finance company shall furnish to the Authority the information:

(a) referred to in paragraphs 4(a) and (b) above not later than 3 months after the close of each financial year of the finance company or such longer period as the Authority may on application of the finance company approve;

(b) referred to in paragraph 8 above not later than 3 months after the close of each financial year of the finance company or such longer period as the Authority may on application of the finance company approve; and

(c) referred to in paragraph 4(c) above not later than 3 months after the Reporting Date or such longer period as the Authority may on application of the finance company approve.

Transitional arrangements in connection with MAS Notice DIA N01 (Amendment) 2018

10 Notwithstanding paragraph 9, for a finance company with a financial year ending on 31 December 2018, the auditors' statement required in paragraph 1 for the Schedule I and II

returns of Annex B of Notice DIA-N01 on Deposit Insurance Returns may be furnished to the Authority not later than 3 months after the close of the financial year ending on 31 December 2019.

[MAS Notice 815 (Amendment) 2019]

Effective date of Notice

11 This Notice, other than paragraphs 4(c), 5 and 9(c), shall take immediate effect.

12 Paragraphs 4(c), 5 and 9(c) shall take effect in respect of the Reporting Schedules which relate to a Reporting Date that falls on or after 31 December 2019.

13 MAS Notice 815 dated 21 February 1978 and MAS Notice 833 dated 24 December 2014 are cancelled with immediate effect.

***Notes on History of Amendments**

1. MAS Notice 815 dated 21 February 1978 is cancelled with effect from 24 December 2018.

2. MAS Notice 815 (Amendment) 2019 dated 29 March 2019 with effect from 29 March 2019.