

Notice No : SFA 13-N02 (Amendment) 2018

Issue Date : 5 October 2018

**NOTICE ON ANNUAL DECLARATION FOR
NOTIFICATIONS OF RESTRICTED SCHEMES**

Introduction

1 For presentational purposes, the amendments in this document are compared against the version of MAS Notice No. SFA13-N02 on the Annual Declaration for Notifications of Restricted Schemes issued on 15 September 2009.

2 This document shall be interpreted as follows:

- (a) Text which is coloured and struck through represents deletion which will not appear in the untracked version of MAS Notice No. SFA13-N02 revised on 5 October 2018, which is published on MAS' website www.mas.gov.sg ("Published Version"); and
- (b) Text which is coloured and underlined represents insertion which will appear in the Published Version.

3 The amendments reflected in this document shall take effect on 8 October 2018.

4 This document is to be used for reference only. In the event of discrepancies between the amendments in this document and the Published Version, the Published Version shall prevail.



Monetary Authority of Singapore

**SECURITIES AND FUTURES ACT
(CAP. 289)**

**NOTICE ON ANNUAL DECLARATION
FOR NOTIFICATIONS OF RESTRICTED SCHEMES**

Notice No : SFA13-N02

Issue Date : 15 September 2009 (Last revised on 5 October 2018*)

NOTICE ON ANNUAL DECLARATION FOR NOTIFICATIONS OF RESTRICTED SCHEMES

1 Introduction

~~1.1~~ ~~1.1~~—This notice is issued pursuant to section 293 of the Securities and Futures Act (Cap. 289) read with paragraph 6 and paragraph 6A(1)(d)(ii) of the Sixth Schedule to the Securities and Futures (Offers of Investments) (Collective Investment Schemes) (~~Amendment~~) Regulations 2005⁹ (“Regulations”) to all responsible persons of restricted schemes.

[SFA13-N02 (Amendment) 2018]

~~1.2~~ ~~This notice shall take effect on 1 October 2009.~~

[SFA13-N02 (Amendment) 2018]

2 Definitions

In this Notice,

“amended anniversary date” means the date the responsible person of the restricted scheme has changed in accordance with paragraph 3.3 and submitted through CISNet in accordance with paragraph 3.3;

“anniversary date” means the day and month of each year which will correspond to the first anniversary date or amended anniversary date, as the case may be;

“CISNet” means the Authority’s online platform for the submission of notifications for restricted schemes; ~~and-~~

“first anniversary date” means —

(a) in the case of a restricted Singapore scheme or a restricted foreign scheme, 12 months from the date on which the scheme was entered in the list of restricted schemes maintained by the Authority under the Sixth Schedule to the Regulations (“Sixth Schedule”); or

(b) in relation to a restricted scheme where an offer of units in the scheme was previously made under paragraph 6A(d)(i) or (iii) of the Sixth Schedule, 12 months from the date on which the offeror may commence making the previous offer (as notified by the Authority).

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3 Requirement relating to the lodging of annual declarations

3.1 ~~Subject to paragraph 3.2, t~~The responsible person for a restricted scheme or a restricted foreign scheme shall lodge with the Authority an annual declaration pursuant to paragraph 6 of the Sixth Schedule to the Regulations (“Sixth

~~Schedule”) on or before the first anniversary date or amended anniversary date, as the case may be; and thereafter on or before each anniversary date or amended anniversary date, as the case may be. which has been entered into the list of restricted schemes by the Authority shall make the first annual declaration within the one year anniversary of the entry of the scheme into the list of restricted schemes (the “anniversary date”) and thereafter, the responsible person shall make the annual declarations on or before the subsequent anniversary dates.~~

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- 3.2 ~~The responsible person may start lodging the annual declaration mentioned in paragraph 3.1 beginning from one month immediately before the first anniversary date, each anniversary date or amended anniversary date, as the case may be. Every annual declaration shall be made during the one month period immediately prior to and including the anniversary date (the “one month declaration period”).~~

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- 3.2A ~~Where an offer of units in a restricted scheme was previously made under paragraph 6A(d)(i) or (iii) of the Sixth Schedule and the responsible person for the restricted scheme is lodging with the Authority an annual declaration for the purposes of paragraph 6A(d)(ii) of the Sixth Schedule, the responsible person may start lodging the annual declaration beginning from one month immediately before the first anniversary date, each anniversary date or amended anniversary date, as the case may be.~~

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- 3.3 ~~Subject to paragraph 3.4, t~~The responsible person for a restricted scheme may change the first anniversary date, anniversary date or existing amended anniversary date of a scheme by submitting an amendment through CISNet, anytime, but at least before the one month before the first anniversary date, anniversary date or existing amended anniversary date, as the case may be declaration period.

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- 3.4 Any amended anniversary date shall—
- (a) be earlier, but not later, than the first previous anniversary date, anniversary date or existing amended anniversary date, as the case may be; and
 - (b) be at least 14 calendar days after the date of submission of the amendment through CISNet.

[SFA13-N02 (Amendment) 2018]

- 3.5 ~~The responsible person may make more than one change to the anniversary date of a scheme so long as the requirements specified in paragraphs 3.3 and 3.4 are satisfied.~~

[SFA13-N02 (Amendment) 2018]

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* Notes on History of Amendment

1. SFA13-N02 (Amendment) 2018 with effect from 8 October 2018.