

MAS Notice TCA-N03 (Amendment) 2014

1 July 2014

NOTICE TO TRUST COMPANIES  
MONETARY AUTHORITY OF SINGAPORE ACT, CAP. 186

**PREVENTION OF MONEY LAUNDERING AND COUNTERING THE FINANCING OF  
TERRORISM – TRUST COMPANIES**

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1 This Notice is issued pursuant to section 27B of the Monetary Authority of Singapore Act (Cap. 186) and amends MAS Notice TCA-N03.

2 MAS Notice TCA-N03 dated 2 July 2007 and last revised on 23 January 2013 is hereby amended by inserting immediately after paragraph 10.12, the following paragraph:

**“11 PERSONAL DATA**

11.1 For the purposes of paragraph 11 –

- (a) “personal data” has the same meaning as defined in section 2(1) of the Personal Data Protection Act (Cap. 26);
- (b) “individual” means a natural person, whether living or deceased;  
and
- (c) “connected party” –
  - (i) in relation to a company, means any director or any natural person having executive authority in the company;
  - (ii) in relation to a partnership, a limited partnership within the meaning of the Limited Partnerships Act (Cap. 163B) or a limited liability partnership within the meaning of the Limited Liability Partnerships Act (Cap. 163A), means any partner or manager;  
and
  - (iii) in relation to any other body corporate or unincorporate, means any natural person having executive authority in such body corporate or unincorporate, where applicable.

11.2 Subject to paragraph 11.3 and for the purposes of complying with this Notice, a trust company shall not be required to provide an individual trust relevant party, an individual appointed to act on behalf of a trust relevant party, an individual connected party of a trust relevant party, an individual effective controller of a settlor or an individual effective controller of a trustee, with:

- (a) any access to personal data about the individual that is in the possession or under the control of the trust company;
- (b) any information about the ways in which the personal data of the individual under subparagraph (a) has been or may have been used or disclosed by the trust company; and
- (c) any right to correct an error or omission of the personal data about the individual that is in the possession of or under the control of the trust company.

11.3 A trust company shall, as soon as reasonably practicable, upon the request of an individual trust relevant party, an individual appointed to act on behalf of a trust relevant party, an individual connected party of a trust relevant party, an individual effective controller of a settlor or an individual effective controller of a trustee, provide the requesting individual with the right to:

- (a) access the following types of personal data of that individual, that is in the possession or under the control of the trust company:
  - (i) his full name, including any alias;
  - (ii) his unique identification number (such as an identity card number, birth certificate number or passport number);
  - (iii) his existing residential address and contact telephone number(s);
  - (iv) his date of birth;
  - (v) his nationality;
  - (vi) subject to section 21(2) and (3) read with the Fifth Schedule to the Personal Data Protection Act, any other personal data of the respective individual provided by that individual to the trust company; and

(b) subject to section 22(7) and the Sixth Schedule to the Personal Data Protection Act, correct an error or omission in relation to the types of personal data set out in paragraphs (a)(i) to (vi), provided the trust company is satisfied that there are reasonable grounds for such request.

11.4 For the purposes of complying with this Notice, a trust company may, whether directly or through a third party, collect, use and disclose personal data of an individual trust relevant party, an individual appointed to act on behalf of a trust relevant party, an individual connected party of a trust relevant party, an individual effective controller of a settlor or an individual effective controller of a trustee, without the respective individual's consent." .

3 This Notice shall take effect on 1 July 2014.