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## **MEDIA RELEASE**

### **DATA REGISTER PTE LTD FINED \$200,000 FOR FAILING TO DISPLAY COMPANY NAME AND REGISTRATION NUMBER IN BUSINESS CORRESPONDENCES SENT OUT IN OCTOBER AND NOVEMBER 2013**

**Singapore, 3 June 2016** – Data Register Pte Ltd (previously known as “Company Register Pte Ltd”) was sentenced in the State Courts today for issuing business correspondences in October and November 2013 which did not state its company name and registration number in breach of section 144(1)(b) and section 144(1A) of the Companies Act.

2. The company had pleaded guilty to a total of 500 charges and was fined \$200,000 on 3 June 2016. Another 604 charges were taken into consideration for the purpose of sentencing.

3. ACRA had brought a total of 1,104 charges against Data Register Pte Ltd in 2014/15, for failing to display the company name and registration number in its correspondences in October and November 2013. In total, 139,833 business letters which did not state the company’s name and registration number were mailed out during this period. The letters led to public disquiet. Many members of the public informed ACRA that they had mistakenly assumed that Data Register Pte Ltd was linked to ACRA and that they were obliged to provide the requested information. Over 7,800 public queries were received by ACRA in relation to various tranches of letters and invoices sent out by Data Register Pte Ltd.

4. Since November 2013, ACRA had issued several media releases and public announcements to inform the public on this matter and explained that the purpose of section 144 is to ensure that members of public are aware of the identity of the corporate entity that issued the letter in question. Members of the public were also urged to conduct a free search on ACRA’s online business directory to check information such as the name, registration number, address and status of any company registered with ACRA.

5. Upon facing the charges, Data Register Pte Ltd, in February 2016, decided to write to eligible subscribers who responded to their 2013 correspondence. It offered them the opportunity to terminate their accounts with Data Register Pte Ltd and to receive a refund if they have paid subscription fee but not used any of Data Register Pte Ltd’s services. Data Register Pte Ltd will also not pursue subscription fee from those who had not paid if they terminate their accounts. Subscribers had a 10 working day period from 29 February 2016 to 11 March 2016 to terminate their accounts. Data Register Pte Ltd’s letters to subscribers was sent on 25 February 2016 and ACRA’s public announcement was made on the same

day. Data Register Pte Ltd's offer to the subscribers was reported by media and key social media sites, and carried on ACRA's communications channels.

6. Notwithstanding Data Register Pte Ltd's offer to subscribers to terminate their accounts, ACRA proceeded to seek an unprecedented higher fine of \$400 per charge for an offence of such nature, amounting to a total fine of \$200,000. Mr Kenneth Yap, Chief Executive of ACRA who personally prosecuted the matter, submitted to the court that the business letters of Data Register Pte Ltd did not bear the "hallmarks of a bona fide marketing letter offering legitimate services to the public but a business letter engineered to achieve the effect of creating the impression in the mind of the unwary that ACRA ... issued these business letters..." The court agreed with prosecution and ruled that the contents of these business letters were "plainly calculated to give a misleading impression that the letters originated from a government agency i.e. ACRA".

7. ACRA would like to remind companies that while organisations can seek to collect business information from companies through private arrangements, the statutory duty to file and provide business information under the Companies Act is owed only to ACRA, the national regulator of business entities and public accountants in Singapore. Companies that need to file or update their records with ACRA should do so only through BizFile, ACRA's online filing and information retrieval system, at [www.bizfile.gov.sg](http://www.bizfile.gov.sg). If in doubt, companies can contact ACRA at: 6248 6028 or [www.acra.gov.sg/enquiry](http://www.acra.gov.sg/enquiry).

8. The requirement to state a company's name and registration number in business correspondences is mandated under section 144 of the Companies Act. This is to ensure that members of public are aware of the identity of the corporate entity that issued the letter in question, and to prevent entities from impersonating or purporting to represent another company or government agency. When in doubt, a member of public may conduct a free search on the company via BizFile. This search will reveal if the company is registered; and if so, its business address, registration number as well as its compliance rating with basic requirements of the Companies Act. Further corporate information, such as the identity of shareholders and directors and the financial status of the company, may also be purchased for a small fee.

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**About ACRA**

The Accounting and Corporate Regulatory Authority (ACRA) is the national regulator of business entities, public accountants and corporate service providers in Singapore. ACRA also facilitates the development of business entities and the public accountancy profession. As a regulator and facilitator, ACRA constantly strives to provide a responsive and trusted regulatory environment for businesses, public accountants and corporate service providers

and make Singapore the best and trusted place for doing business. ACRA's role is to achieve synergies between the monitoring of corporate compliance with disclosure requirements and regulation of public accountants performing statutory audit. ACRA's goal is to make good corporate governance, quality corporate financial reporting and high quality audit the hallmarks of our financial and corporate sectors.

For more information, please visit ACRA's website at [www.acra.gov.sg](http://www.acra.gov.sg).