

Specific classes of investors

4A.—(1) Subject to subsection (2), unless the context otherwise requires —

(a) “accredited investor” means —

(i) an individual —

(A) whose net personal assets exceed in value \$2 million (or its equivalent in a foreign currency) or such other amount as the Authority may prescribe in place of the first amount;

(B) whose financial assets (net of any related liabilities) exceed in value \$1 million (or its equivalent in a foreign currency) or such other amount as the Authority may prescribe in place of the first amount, where “financial asset” means —

(BA) a deposit as defined in section 4B of the Banking Act;

(BB) an investment product as defined in section 2(1) of the Financial Advisers Act; or

(BC) any other asset as may be prescribed by regulations made under section 341; or

(C) whose income in the preceding 12 months is not less than \$300,000 (or its equivalent in a foreign currency) or such other amount as the Authority may prescribe in place of the first amount;

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(ii) a corporation with net assets exceeding \$10 million in value (or its equivalent in a foreign currency) or such other amount as the Authority may prescribe, in place of the first amount, as determined by —

(A) the most recent audited balance-sheet of the corporation; or

(B) where the corporation is not required to prepare audited accounts regularly, a balance-sheet of the corporation certified by the corporation as giving a true and fair view of the state of affairs of the corporation as of the date of the balance-sheet, which date shall be within

the preceding 12 months;

- (iii) the trustee of such trust as the Authority may prescribe, when acting in that capacity; or
- (iv) such other person as the Authority may prescribe;

(b) “expert investor” means —

- (i) a person whose business involves the acquisition and disposal, or the holding, of capital markets products, whether as principal or agent;
- (ii) the trustee of such trust as the Authority may prescribe, when acting in that capacity; or
- (iii) such other person as the Authority may prescribe;

(c) “institutional investor” means —

- (i) the Government;
- (ii) a statutory board as may be prescribed by regulations made under section 341;
- (iii) an entity that is wholly and beneficially owned, whether directly or indirectly, by a central government of a country and whose principal activity is —
 - (A) to manage its own funds;
 - (B) to manage the funds of the central government of that country (which may include the reserves of that central government and any pension or provident fund of that country); or
 - (C) to manage the funds (which may include the reserves of that central government and any pension or provident fund of that country) of another entity that is wholly and beneficially owned, whether directly or indirectly, by the central government of that country;
- (iv) any entity —
 - (A) that is wholly and beneficially owned, whether directly

or indirectly, by the central government of a country;
and

(B) whose funds are managed by an entity mentioned in sub-paragraph (iii);

- (v) a central bank in a jurisdiction other than Singapore;
- (vi) a central government in a country other than Singapore;
- (vii) an agency (of a central government in a country other than Singapore) that is incorporated or established in a country other than Singapore;
- (viii) a multilateral agency, international organisation or supranational agency as may be prescribed by regulations made under section 341;
- (ix) a bank that is licensed under the Banking Act (Cap. 19);
- (x) a merchant bank that is approved as a financial institution under section 28 of the Monetary Authority of Singapore Act (Cap. 186);
- (xi) a finance company that is licensed under the Finance Companies Act (Cap. 108);
- (xii) a company or co-operative society that is licensed under the Insurance Act (Cap. 142) to carry on insurance business in Singapore;
- (xiii) a company licensed under the Trust Companies Act (Cap. 336);
- (xiv) a holder of a capital markets services licence;
- (xv) an approved exchange;
- (xvi) a recognised market operator;
- (xvii) an approved clearing house;
- (xviii) a recognised clearing house;
- (xix) a licensed trade repository;

- (xx) a licensed foreign trade repository;
 - (xxi) an approved holding company;
 - (xxii) a Depository as defined in section 81SF;
 - (xxiii) an entity or a trust formed or incorporated in a jurisdiction other than Singapore, which is regulated for the carrying on of any financial activity in that jurisdiction by a public authority of that jurisdiction that exercises a function that corresponds to a regulatory function of the Authority under this Act, the Banking Act (Cap. 19), the Finance Companies Act (Cap. 108), the Monetary Authority of Singapore Act (Cap. 186), the Insurance Act (Cap. 142), the Trust Companies Act (Cap. 336) or such other Act as may be prescribed by regulations made under section 341;
 - (xxiv) a pension fund, or collective investment scheme, whether constituted in Singapore or elsewhere;
 - (xxv) a person (other than an individual) who carries on the business of dealing in bonds with accredited investors or expert investors;
 - (xxvi) the trustee of such trust as the Authority may prescribe, when acting in that capacity; or
 - (xxvii) such other person as the Authority may prescribe.
- [Act 4 of 2017 wef 08/10/2018]
[1/2005; 11/2005]*

(1A) In determining the value of an individual's net personal assets for the purposes of subsection (1)(a)(i)(A), the value of the individual's primary residence —

- (a) is to be calculated by deducting any outstanding amounts in respect of any credit facility that is secured by the residence from the estimated fair market value of the residence; and
 - (b) is taken to be the lower of the following:
 - (i) the value calculated under paragraph (a);
 - (ii) \$1 million.
- [Act 4 of 2017 wef 08/10/2018]*

(2) The definitions in subsection (1) may be subject to such modifications as the Authority may prescribe for any specified provision of this Act.

[1/2005]

Application

4B. This Act does not apply to a person in respect of whom a transitional approval or transitional licence mentioned in section 66 of the Commodity Trading Act (Cap. 48A) is in force, to the extent that the activities carried out by the person are regulated under, and authorised by, that section.

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