ELECTRICITY ACT
(CHAPTER 89A, SECTIONS 30C, 97 AND 103)

ELECTRICITY (CONTROL OF DESIGNATED ELECTRICITY LICENSEES, ETC., UNDER PART 4A) REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

[24th July 2006]

Citation

1. These Regulations may be cited as the Electricity (Control of Designated Electricity Licensees, etc., under Part 4A) Regulations.

[S 449/2025 wef 01/07/2025]

Definitions

2. In these Regulations, unless the context otherwise requires —

"acquiring party" means —

(*a*) any person who is required to obtain the Authority's approval under section 30B(3) of the Act; or

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(*b*) any person, other than a designated licensee, a designated entity or the trustee-manager of a designated business trust, who is required to obtain the Authority's approval under section 30B(4) of the Act;

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"application" means an application made under section 30B of the Act;

"divesting party" means any person who is required to obtain the Authority's approval under section 30B(3A) of the Act;

[S 449/2025 wef 01/07/2025]

"related corporation", in relation to a corporation, means a corporation that is deemed to be related to the first-mentioned corporation under section 6 of the Companies Act 1967;

[S 449/2025 wef 31/12/2021]

"treasury share" has the same meaning as in section 4(1) of the Companies Act 1967;

[S 449/2025 wef 31/12/2021]

"unit" has the same meaning as in section 2 of the Business Trust Act 2004;

[S 449/2025 wef 31/12/2021]

"voting share" has the same meaning as in section 4(1) of the Companies Act 1967 but excludes a treasury share.

[S 449/2025 wef 31/12/2021]

Meaning of equity interest in Part 4A of Act

3.—(1) For the purposes of Part 4A of the Act, "equity interest" —

(*a*) in relation to a corporation, means a voting share in that corporation;

(*b*) in relation to an entity other than a corporation, means any right or interest, whether legal or equitable, in that entity, by whatever name called, which gives the holder of that right or interest voting power in that entity; and

(*c*) in relation to a business trust, means a unit in that business trust.

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(2) For the purpose of paragraph (1)(*a*), a person holds a voting share in a corporation if —

(*a*) that person is deemed to have an interest in that share under section 7 of the Companies Act 1967; or

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(*b*) that person otherwise has a legal or an equitable interest in that share except for such interest as is to be disregarded under section 7 of the Companies Act 1967.

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(3) For the purpose of paragraph (1)(*b*), a person holds a right or an interest in an entity other than a corporation if that person has a legal or an equitable interest in that right or interest.

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(4) For the purpose of paragraph (1)(*c*), a person holds a unit in a business trust if that person has a legal or an equitable interest in that unit.

[S 449/2025 wef 01/07/2025]

[S 449/2025 wef 31/12/2021]

Meaning of control of voting in Part 4A of Act

4. For the purposes of Part 4A of the Act and these Regulations, a reference to the control of a percentage of voting power in a designated electricity licensee, a designated entity or a designated business trust is a reference to the control, whether direct or indirect, of that percentage of the total number of votes that may be cast in a general meeting of the licensee, the entity or the business trust.

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Meaning of associate in Part 4A of Act

5. For the purposes of Part 4A of the Act, a person, *A*, is an associate of another person, *B*, if —

(*a*) *A* is the spouse, or a parent, step-parent or remoter lineal ancestor, or a son, step-son, daughter, step-daughter or remoter issue, or a brother or sister, of *B*;

(*b*) *A* is a corporation whose directors are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *B* or, where *B* is a corporation, of the directors of *B*;

(*c*) *B* is a corporation whose directors are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *A* or, where *A* is a corporation, of the directors of *A*;

(*d*) *A* is a person who is accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *B* or, where *B* is a corporation, of the directors of *B*;

(*e*) *B* is a person who is accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *A* or, where *A* is a corporation, of the directors of *A*;

(*f*) *A* is a related corporation of *B*;

(*g*) *A* is a corporation in which *B*, alone or together with other associates of *B* as described in sub-paragraphs (*b*) to (*f*), is in a position to control not less than 20% of the voting power in *A*;

(*h*) *B* is a corporation in which *A,* alone or together with other associates of *A* as described in sub-paragraphs (*b*) to (*f*), is in a position to control not less than 20% of the voting power in *B*; or

(*i*) *A* is a person with whom *B* has an agreement or arrangement, whether oral or in writing and whether express or implied, to act together with respect to the acquisition, holding or disposal of equity interest in, or with respect to the exercise of their voting power in relation to, the designated electricity licensee, the designated entity or the designated business trust concerned.

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Notice under section 30B(1) of Act

6. A notice under section 30B(1) of the Act must contain any information that the Authority may require, including —

(*a*) the name, address and contact information of —

(i) the person who has acquired the equity interest; and

(ii) where the person mentioned in sub-paragraph (i) is an entity, a director or other officer of that person;

(*b*) the percentage of equity interest held by the person following the acquisition of the equity interest; and

(*c*) the effective date of acquisition of the equity interest.

[S 449/2025 wef 01/07/2025]

Applications for approval under section 30B of Act

7.—(1) An application for approval under section 30B(3) of the Act must —

(*a*) be made by the acquiring party; and

(*b*) contain any information that the Authority may require, including —

(i) the name, address and contact information of —

(A) the acquiring party; and

(B) where the person mentioned in sub-paragraph (A) is an entity, a director or other officer of that person;

(ii) any anticipated significant changes in the management or operations of the designated electricity licensee, the designated entity or the designated business trust;

(iii) the percentage of equity interest held by the acquiring party;

(iv) the percentage of voting power controlled by the acquiring party;

(v) any special or preferential rights that have already been granted to the acquiring party;

(vi) the percentage of equity interest the acquiring party will hold if the application is approved;

(vii) the percentage of voting power the acquiring party will control if the application is approved; and

(viii) any special or preferential rights that will be granted to the acquiring party if the application is approved.

(2) An application for approval under section 30B(3A) of the Act must —

(*a*) be made by the divesting party; and

(*b*) contain any information that the Authority may require, including —

(i) the name, address and contact information of —

(A) the divesting party; and

(B) where the person mentioned in sub-paragraph (A) is an entity, a director or other officer of that person;

(ii) any anticipated significant changes in the management or operations of the designated electricity licensee, the designated entity or the designated business trust;

(iii) the percentage of equity interest held by the divesting party;

(iv) the percentage of voting power controlled by the divesting party;

(v) any special or preferential rights that have already been granted to the divesting party;

(vi) the percentage of equity interest the divesting party will hold if the application is approved;

(vii) the percentage of voting power the divesting party will control if the application is approved; and

(viii) any special or preferential rights that will be granted to the divesting party if the application is approved.

(3) An application for approval under section 30B(4) of the Act must —

(*a*) be made jointly by —

(i) the acquiring party; and

(ii) the designated electricity licensee, the designated entity or the trustee-manager of the designated business trust (as the case may be) concerned; and

(*b*) contain any information that the Authority may require, including —

(i) the name, address and contact information of —

(A) the acquiring party; and

(B) where the person mentioned in sub-paragraph (A) is an entity, a director or other officer of that person;

(ii) any anticipated significant changes in the management or operations of the designated electricity licensee, the designated entity or the designated business trust;

(iii) the percentage of equity interest held by the acquiring party;

(iv) the percentage of voting power controlled by the acquiring party;

(v) any special or preferential rights that have already been granted to the acquiring party;

(vi) the percentage of equity interest the acquiring party will hold if the application is approved;

(vii) the percentage of voting power the acquiring party will control if the application is approved; and

(viii) any special or preferential rights that will be granted to the acquiring party if the application is approved.

[S 449/2025 wef 01/07/2025]

8. [*Deleted by S 449/2025 wef 01/07/2025*]

Monitoring changes in equity interest and voting power

9. A designated electricity licensee, a designated entity or the trustee-manager of a designated business trust shall comply with such procedures as may be reasonably required by the Authority for the purposes of monitoring changes in the holding of equity interest or the controlling of voting power in the licensee, the entity or the business trust.

10. [*Deleted by S 449/2025 wef 01/07/2025*]

LEGISLATIVE HISTORY

ELECTRICITY (CONTROL OF DESIGNATED ELECTRICITY LICENSEES, ETC., UNDER PART 4A) REGULATIONS (CHAPTER 89A, RG 6)

formerly known as the Electricity (Control of Designated Electricity Licensees and Entities) Regulations

This Legislative History is provided for the convenience of users of the Electricity (Control of Designated Electricity Licensees and Entities) Regulations. It is not part of these Regulations.

1. G. N. No. S 432/2006 — Electricity (Control of Designated Electricity Licensees and Entities) Regulations 2006

Date of commencement : 24 July 2006

2. 2008 Revised Edition — Electricity (Control of Designated Electricity Licensees and Entities) Regulations

Date of operation : 31 January 2008

3. G.N. No. S 449/2025 — Electricity (Control of Designated Electricity Licensees and Entities) (Amendment) Regulations 2025

Date of commencement : 31 December 2021

4. G.N. No. S 449/2025 — Electricity (Control of Designated Electricity Licensees and Entities) (Amendment) Regulations 2025

Date of commencement : 1 July 2025