

## Application of Laws Act 2024

In exercise of the powers under Article 4(2) of the GMC Royal Charter No. 1 of 2024, and with the assent of the Druk Gyalpo, the GMC Authority hereby makes the following Act:

An Act to declare the applicable laws in the GMC and for purposes connected therewith.

### 1. Short title and commencement

This Act is the Application of Laws Act 2024 and comes into operation on a date that the GMC Authority appoints by notification.

### 2. Definitions

In this Act, unless the context otherwise requires —

“**Abu Dhabi Global Market financial services law**” means the Financial Services and Markets Regulations 2015, as amended from time to time, and includes the rules promulgated thereunder as specified in Schedule B;

“**common law of Singapore**” means the common law insofar as it is in operation in Singapore and any custom or usage having the force of law in Singapore;

“**GMC**” means the Gelephu Mindfulness City Special Administrative Region established under the Royal Charter;

“**GMC Authority**” means the GMC Authority established under Article 3 of the GMC Royal Charter No.1 of 2024;

“**GMC laws**” means any laws enacted by the GMC Authority under Article 4(2) of the GMC Royal Charter No.1 of 2024, including any subsidiary legislation, and includes the laws of Singapore specified in Schedule A and the laws of Abu Dhabi Global Market specified in Schedule B;

“**GMC Royal Charter No. 1 of 2024**” or “**Royal Charter**” means the Royal Charter granted on the 1st day of the 1st month of the Male Wood Dragon Year (13 February 2024) establishing the GMC;

“**Guidance**” means any guidance issued by the GMC Authority under Article 8;

“**laws of Singapore**” means the common law of Singapore and the Singapore enactments as specified in Schedule A;

“**person**” includes any company or association or body of persons, corporate or unincorporate;

“**Singapore enactments**” means any enactments of the Parliament of the Republic of Singapore; and

“**subsidiary legislation**” means any order in council, proclamation, rule, regulation, order, notification, by-law or other instrument made under any Act, Ordinance or other lawful authority and having legislative effect.

### 3. Application of the laws of Singapore

(1) The common law of Singapore, as it stands from time to time, applies and forms part of the law of the GMC:

- (a) so far as it is applicable to the circumstances of the GMC;
- (b) subject to such modifications as the circumstances of the GMC may require;
- (c) subject to any amendment by a GMC law; and
- (d) subject to any amendment by a Singapore enactment, unless specifically disappplied by the GMC Authority.

- (2) To avoid doubt, the common law of Singapore includes the common law of England, and includes the principles and rules of equity, so far as it was part of the law of Singapore immediately before 12 November 1993.
- (3) To avoid doubt, if a particular rule or principle of the common law of Singapore is abolished or modified in Singapore, such abolishment or modification shall take effect in the GMC, subject to subsection (1) above.

#### **4. Application of Singapore enactments specified in Schedule A**

- (1) Subject to this Act and any other GMC law, the Singapore enactments as amended from time to time and specified in Schedule A apply in the GMC.
- (2) The GMC may, by order, amend Schedule A from time to time.
- (3) The laws specified in Schedule A apply in the GMC:
  - (a) so far as it is applicable to the circumstances of the GMC;
  - (b) subject to such modifications as the circumstances of the GMC may require;
  - (c) subject to any amendment by a GMC law; and
  - (d) subject to any amendment by a Singapore enactment, unless specifically disappplied by the GMC Authority.
- (4) Without prejudice to the generality of subsection (3), the laws specified in Schedule A are subject to the following modifications:
  - (a) all references to an Authority or Board or Licensing Officer or Authorised Officer (or any person by whatever name in a position to exercise executive powers) shall refer to the GMC Authority, unless and until the GMC Authority establishes other administrative and regulatory bodies and agencies and appoints such officers or persons under Article 4(1) of the Royal Charter;
  - (b) all references to the courts (or any person by whatever name in a position to exercise judicial powers) shall refer to the GMC Authority, unless and until the GMC Authority establishes a separate judiciary under Article 4(1) of the Royal Charter;
  - (c) all references to other laws of Singapore shall refer to the GMC law that is *in pari materia* unless the circumstances require otherwise; and
  - (d) such other modifications as may be prescribed by the GMC Authority from time to time.
- (5) To avoid doubt, if an enactment specified in Schedule A is repealed or modified in Singapore, such repeal or modification shall take effect in the GMC, subject to subsection (3) above.

#### **5. Application of Abu Dhabi Global Market financial services laws specified in Schedule B**

- (1) Subject to this Act and any other GMC law, the Abu Dhabi Global Market financial services laws as amended from time to time and specified in Schedule B apply in the GMC.
- (2) The GMC may, by order, amend Schedule B from time to time.
- (3) The laws specified in Schedule B apply in the GMC:
  - (a) so far as it is applicable to the circumstances of the GMC;
  - (b) subject to such modifications as the circumstances of the GMC may require;
  - (a) subject to any amendment by a GMC law; and

- (b) subject to any amendment in the Abu Dhabi Global Market, which shall apply and form part of the law of the GMC, unless specifically disapplied by the GMC Authority.
- (4) Without prejudice to the generality of subsection (3), the laws specified in Schedule B are subject to the following modifications:
- (a) all references to the Regulator (or any person by whatever name in a position to exercise executive powers) shall refer to the GMC Authority, until the GMC Authority establishes the administrative and regulatory bodies and agencies and appoints such officers or persons under Article 4(1) of the Royal Charter;
  - (b) all references to the courts (or any person by whatever name in a position to exercise judicial powers) shall refer to the GMC Authority, until the GMC Authority establishes an independent judiciary under Article 4(1) of the Royal Charter;
  - (c) all references to other laws of the United Arab Emirates shall refer to the GMC law that is *in pari materia* unless the circumstances require otherwise;
  - (d) all references to other rules of the Abu Dhabi Global Market shall refer to the GMC law that is *in pari materia* unless the circumstances require otherwise;
  - (e) all references to Islamic finance are abolished; and
  - (f) such other modifications as may be prescribed by the GMC Authority from time to time.
- (5) To avoid doubt, if a law specified in Schedule B is repealed or modified in the Abu Dhabi Global Market, such repeal or modification shall take effect in the GMC, subject to subsection (3) above.

## **6. Enactment of GMC laws**

Nothing in this Act shall derogate from the powers of the GMC Authority in the exercise of its powers under the Royal Charter to enact laws (including subsidiary legislation) for the governance of the GMC, including and not limited to matters relating to land, taxation or crime.

## **7. Determination of applicable laws**

- (1) Without derogation from the powers set out in Article 6 of this Act, for all matters not governed by Articles 3, 4, or 5 (as may be amended from time to time), the GMC Authority shall determine the applicable laws.
- (2) For the purposes of subsection (1), the laws of the Kingdom of Bhutan shall continue to apply for all other matters, save that Singapore laws shall have presumptive effect for all civil and commercial matters, and Singapore laws shall have persuasive effect in the application of all other laws in the GMC, subject to such modifications as the circumstances require for them to apply to GMC.
- (3) Where there is a conflict between a Singapore enactment and an Abu Dhabi Global Market financial services law that apply in the GMC, the Singapore enactment shall prevail over the Abu Dhabi Global Market financial services law, unless otherwise determined by the GMC Authority.

## **8. Power to issue Guidance**

Without prejudice to the powers of the GMC Authority to issue GMC laws, the GMC Authority may give Guidance with respect to:

- (a) the general principles of interpretation applicable to any provision of this Act or any GMC laws;
- (b) the interpretation or resolution of any conflict between the laws applied pursuant to Articles 3, 4, and 5 above;
- (c) the specific effect of any provision of this Act or any GMC laws;
- (d) giving effect to matters set out in Article 7 above;
- (e) any other matter which it appears to the GMC Authority to be desirable to give Guidance.

**9. Saving and transitional provisions**

The GMC Authority may, by regulations, prescribe provisions of a saving or transitional nature as the GMC Authority may consider necessary or expedient.

**10. Power to remove difficulties**

The GMC Authority may, where it considers it necessary or expedient for the purpose of removing any difficulty or conflict, whether arising from local conditions or circumstances or otherwise, in the application of any provision in any enactment mentioned in this Act, modify or substitute that provision by order.

**11. Administration and enforcement of laws**

To avoid doubt, until and unless the GMC Authority establishes appropriate executive and judicial bodies, all executive and judicial functions arising from this Act, shall be carried out by the GMC Authority or such persons or bodies as may be authorised in writing by the GMC Authority.

## Schedule A

Singapore enactment  
(including all subsidiary legislation made thereunder)

The following laws of Singapore shall apply in the GMC with effect from 26 December 2024:

1. Companies Act 1967
2. Contracts (Rights of Third Parties) Act 2007
3. Customs Act 1960
4. Electronic Transactions Act 2010
5. Employment Act 1968
6. Employment of Foreign Manpower Act 1990
7. Goods and Services Tax Act 1993
8. Immigration Act 1959
9. Income Tax Act 1947
10. Insolvency, Restructuring and Dissolution Act 2018
11. Interpretation Act 1965
12. Official Secrets Act 1935
13. Personal Data Protection Act 2012
14. Property Tax Act 1960
15. Sale of Goods Act 1979
16. Spam Control Act 2007
17. Stamp Duties Act 1929
18. Unfair Contract Terms Act 1977

## Schedule B

### Abu Dhabi Global Market financial services regulations

The following regulations shall apply in the GMC with effect from 26 December 2024:

Financial Services and Markets Regulations 2015 (including the following rules made thereunder):

1. Anti-Money Laundering and Sanctions Rules and Guidance (AML)
2. Captive Insurance Business Rules (CIB)
3. Conduct of Business Rulebook (COBS)
4. Fund Rules (FUNDS)
5. General Rulebook (GEN)
6. Glossary (GLO)
7. Market Infrastructure Rulebook (MIR)
8. Market Rules (MKT)
9. Prudential — Insurance Business (PIN)
10. Prudential — Investment, Insurance Intermediation and Banking Rules (PRU)