

# AUSTRALIAN CAPITAL TERRITORY

No. 22 of 1979

An Ordinance to make provision for altering the memorandum of association of Commonwealth Brickworks (Canberra) Limited in certain respects

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated this seventh day of August 1979.

ZELMAN COWEN  
Governor-General

By His Excellency's Command,

R. ELLICOTT  
Minister of State for the Capital Territory

## COMPANIES (COMMONWEALTH BRICKWORKS (CANBERRA) LIMITED) ORDINANCE 1979

1. This Ordinance may be cited as the *Companies (Commonwealth Brickworks (Canberra) Limited) Ordinance 1979*.<sup>1</sup> Short title
2. This Ordinance is incorporated and shall be read as one with the *Companies Ordinance 1962*. Incorporation with Companies Ordinance
3. (1) In this Ordinance, unless the contrary intention appears, " the Company " means Commonwealth Brickworks (Canberra) Limited, a company incorporated in the Territory. Interpretation
- (2) In this Ordinance, a reference—
  - (a) to the memorandum of association of the Company; or
  - (b) to the articles of association of the Company,
 shall be read as a reference to the memorandum of association or to the articles of association, as the case may be, registered in respect of the Company by virtue of the operation of the *Companies Ordinance 1954* and the *Companies Ordinance 1962*.

Resolution  
may be  
passed and  
registered

4. (1) A meeting of the Company is hereby empowered to pass a resolution in the form set out in the Schedule.

(2) The resolution referred to in sub-section (1)—

(a) does not require submission and approval in accordance with clause 8 of the memorandum of association of the Company; and

(b) need not be a special resolution within the meaning of section 144 of the *Companies Ordinance* 1962.

(3) The Company shall lodge with the Registrar—

(a) a notice of the resolution referred to in sub-section (1);

(b) a copy of the resolution; and

(c) a printed copy of the memorandum of association of the Company as altered but without any renumbering of the clauses.

(4) Notwithstanding anything contained in the *Companies Ordinance* 1962 or in the memorandum or articles of association of the Company, the Registrar shall register the resolution lodged with him under sub-section (3) and on registration the alteration of the memorandum of association of the Company shall take effect.

(5) The Registrar shall certify on the copy of the memorandum lodged under sub-section (3) that the memorandum of association has been altered in accordance with the powers conferred by this Ordinance and the certificate of the Registrar is conclusive evidence that all the requirements of this Ordinance with respect to the alteration have been complied with.

(6) Notice of the registration effected under sub-section (4) shall be published in such manner as the Registrar directs.

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#### SCHEDULE

Section 4

##### Resolution

That in pursuance of the powers conferred by the *Companies (Commonwealth Brickworks (Canberra) Limited) Ordinance* 1979 the memorandum of association of the company be altered by omitting clauses 5, 6, 7 and 8.

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#### NOTE

1. Notified in the *Commonwealth of Australia Gazette* on 9 August 1979.