



Australian Capital Territory

# **Companies (Commonwealth Brickworks (Canberra) Limited) Act 1979    No 22**

## **Republication No 2**

Republication date: 18 July 2002

Act not amended up to this date

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Companies (Commonwealth Brickworks (Canberra) Limited) Act 1979*, including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes), as in force on 18 July 2002. It also includes any amendment, repeal or expiry affecting the republished law.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

# Companies (Commonwealth Brickworks (Canberra) Limited) Act 1979

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Australian Capital Territory

# **Companies (Commonwealth Brickworks (Canberra) Limited) Act 1979**

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

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## **1 Name of Act**

This Act is the *Companies (Commonwealth Brickworks (Canberra) Limited) Act 1979*.

## **2 Incorporation with Companies Ordinance**

This Act is incorporated and shall be read as one with the *Companies Ordinance 1962*.

## **3 Interpretation for Act**

### **(1) In this Act:**

*Note* A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

***the company*** means Commonwealth Brickworks (Canberra) Limited, a company incorporated in the ACT.

### **(2) In this Act, a reference—**

- (a) to the memorandum of association of the company; or
- (b) to the articles of association of the company,

is a reference to the memorandum of association or to the articles of association, as the case may be, registered in relation to the company under the operation of the *Companies Ordinance 1954* and the *Companies Ordinance 1962*.

## **4 Resolution may be passed and registered**

- (1) A meeting of the company is hereby empowered to pass a resolution in the form set out in schedule 1.
- (2) The resolution referred to in subsection (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 the *Companies Ordinance 1962*, section 144.
- (3) The company shall lodge with the registrar—
  - (a) a notice of the resolution referred to in subsection (1); and
  - (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 the registrar under subsection (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 subsection (3) that the memorandum of association has been altered in accordance with the powers conferred by this Act and the certificate of the registrar is conclusive evidence that all the requirements of this Act with respect to the alteration have been complied with.
- (6) Notice of the registration effected under subsection (4) shall be published in the way the registrar directs.

## Schedule 1 Resolution

(see s 4)

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



## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
IA = Interpretation Act 1967	renum = renumbered
ins = inserted/added	reloc = relocated
LA = Legislation Act 2001	R[X] = Republication No
LR = legislation register	s = section/subsection
LRA = Legislation (Republication) Act 1996	sch = schedule
mod = modified / modification	sdiv = subdivision
No = number	sub = substituted
num = numbered	SL = Subordinate Law
o = order	<u>underlining</u> = whole or part not commenced or to be expired
om = omitted/repealed	

## Endnotes

3 Legislation history

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### 3 Legislation history

This Act was originally a Commonwealth ordinance—the *Companies (Commonwealth Brickworks (Canberra) Limited) Ordinance 1979* No 22 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. This Act was converted into an ACT enactment on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on 11 May 1989 (self-government day).

Before 11 May 1989, ordinances commenced on their notification day unless otherwise stated (see *Seat of Government (Administration) Act 1910* (Cwlth), s 12).

#### **Companies (Commonwealth Brickworks (Canberra) Limited) Act 1979 No 22**

notified 9 August 1979

commenced 9 August 1979

### 4 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	not amended	30 November 1993

Authorised when accessed at [www.legislation.act.gov.au](http://www.legislation.act.gov.au) or in authorised printed form

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