

No. 34 of 1973

## AN ORDINANCE

To amend the *Companies (Uranium Mining Companies) Ordinance 1970-1972*.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1972*.

Dated this twenty-third day of August, 1973.

PAUL HASLUCK  
Governor-General.

By His Excellency's Command,

LIONEL MURPHY  
Attorney-General, acting for and on behalf of the  
Minister of State for the Capital Territory.

### COMPANIES (URANIUM MINING COMPANIES) ORDINANCE 1973

1. (1) This Ordinance may be cited as the *Companies (Uranium Mining Companies) Ordinance 1973*.\*

Short title  
and  
citation.

(2) The *Companies (Uranium Mining Companies) Ordinance 1970-1972*† is in this Ordinance referred to as the Principal Ordinance.

(3) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Companies (Uranium Mining Companies) Ordinance 1970-1973*.

2. This Ordinance shall come into operation on 1st September, 1973.

Commence-  
ment.

3. Section 18 of the Principal Ordinance is amended by omitting from sub-section (3) the words "foreign company" and inserting in their stead the words "specified company".

Allotment  
of shares.

4. Section 53 of the Principal Ordinance is repealed and the following section inserted in its stead:—

"53. (1) A person who holds voting shares in a company, being voting shares in which a non-resident has an interest, shall, subject to this section, give to the non-resident a notice in accordance with the prescribed form as to the requirements of this Part.

Persons  
holding  
shares as  
Trustees.

\* Notified in the *Australian Government Gazette* on 27 August 1973.

† Ordinance No. 48, 1970, as amended by No. 9, 1972.

(2) Where—

- (a) a person holds voting shares in a company, being voting shares in which a non-resident has an interest; and
- (b) the first-mentioned person—
  - (i) knows; or
  - (ii) has reasonable grounds for believing, that an interest of the non-resident in the shares is an interest that the non-resident holds for another person,

the first-mentioned person shall give to the non-resident a notice in accordance with the prescribed form as to the requirements of this Part and direct the non-resident to give the notice or a copy of the notice to that other person.

“ (3) A notice under this section shall be given—

- (a) in the case of shares in which the non-resident has an interest on the prescribed date—within fourteen days after that date; or
- (b) in any other case—within fourteen days after the date on which the non-resident obtains an interest in the shares.

“ (4) Sub-section (1) does not apply to a person to whom it would, but for this sub-section, otherwise apply if—

- (a) before the prescribed date, that person had given to the non-resident for whom he holds shares in a company a notice as to the requirements of this Part; or
- (b) after the prescribed date, he has previously given to the non-resident for whom he holds shares in a company a notice in the prescribed form as to the requirements of this Part.

“ (5) Sub-section (2) does not apply to a person to whom it would, but for this sub-section, otherwise apply if—

- (a) before the prescribed date, that person has given to the non-resident for whom he holds shares in a company a notice as to the requirements of this Part in which was included a direction to the non-resident to give the notice or copy of the notice to another person; or
- (b) after the prescribed date, he has previously given to the non-resident for whom he holds shares in a company a notice in the prescribed form as to the requirements of this Part in which was included a direction to the non-resident to give the notice or a copy of the notice to another person.

“(6) In this section—

‘non-resident’ means a person who is not resident in Australia or a body corporate that is not incorporated in Australia;

‘the prescribed date’ means the date of commencement of the *Companies (Uranium Mining Companies) Ordinance 1973*;

‘the prescribed form’ means the form in the Schedule to this Ordinance.

“(7) Nothing in this section affects the operation of section 6 or 7.”.

5. The Principal Ordinance is amended by adding at the end thereof the following Schedule:—

The  
Schedule.

#### THE SCHEDULE

Section 53

##### AUSTRALIAN CAPITAL TERRITORY

*Companies (Uranium Mining Companies) Ordinance 1970-1973.*

#### NOTICE BY HOLDER OF VOTING SHARES IN WHICH NON-RESIDENT HAS INTEREST.

To:..... of .....  
WHEREAS I, ....., am the holder of voting shares (or voting shares included in ..... class of shares) in ....., a specified company within the meaning of the abovementioned Ordinance:

AND WHEREAS you are a person who is not resident in Australia (or a body corporate that is not incorporated in Australia) and you have an interest in those shares within the meaning of section 47 of the abovementioned Ordinance:

NOW THEREFORE I hereby give notice under section 53 of that Ordinance as to the requirements of Part III. of that Ordinance, that is to say:

1. A substantial shareholder in a specified company within the meaning of the abovementioned Ordinance (that is to say, a person who has an interest within the meaning of section 47 of that Ordinance in one or more voting shares—or voting shares included in that class—in the company the nominal value of which, or the aggregate of the nominal values of which, is not less than one-twentieth of the nominal value of all the voting shares—or voting shares included in that class—in the company) is required under section 49 of that Ordinance to give notice in writing to the company within the period prescribed by that section or as extended by section 54 of that Ordinance stating his name and address and full particulars of those voting shares, of each such interest and of the circumstances (including circumstances described in section 52 of that Ordinance) by reason of which he has that interest.

2. Where there is a change within the meaning of section 50 of that Ordinance in such an interest or interests of such a substantial shareholder, he is required under that section to give notice in writing to the company stating his name and full particulars of the change within the period prescribed by that section or as extended by section 54 of that Ordinance.

3. A person who ceases to be such a substantial shareholder is required under section 51 of that Ordinance to give notice in writing to the company within the period of fourteen days after ceasing to be a substantial shareholder or within that period as extended by section 54 of that Ordinance stating his name and the date on which he ceased to be a substantial shareholder and full particulars of the circumstances (including circumstances described in section 52 of that Ordinance) by reason of which he so ceased to be a substantial shareholder.

\*I know (or have reasonable grounds for believing) that the interest you hold in the voting shares is held for another person (or other persons) and I direct you in pursuance of section 53 of that Ordinance to give this notice, or a copy of it, to that other person (or to each of those other persons).

Dated this ..... day of ....., 19 .....

(Signature).....

\* Strike out if inapplicable.