

Regulations 1981 No. 3

Regulations under the *Companies Ordinance 1962**

I, JOHN COLINTON MOORE, the Minister of State for Business and Consumer Affairs, hereby make the following Regulations under the *Companies Ordinance 1962*.

Dated this sixteenth day of January 1981.

JOHN MOORE
Minister of State for Business and Consumer Affairs

AMENDMENTS OF THE COMPANIES REGULATIONS†

1. These Regulations shall come into operation on 1 February 1981. Commencement

2. Regulation 24 of the Companies Regulations is amended by omitting "Part VIA" and substituting "Part VIB". Prescribed Stock Exchanges for purposes of Part VIB and Tenth Schedule to Ordinance

3. Regulation 24A of the Companies Regulations is amended—
 (a) by omitting from sub-regulation (1) "Part VIA" and substituting "Part VIB"; and
 (b) by omitting from sub-regulation (2) "Part VIA" and substituting "Part VIB". Lodging of prescribed documents given under Part VIB

4. After Part V of the Companies Regulations the following Part is inserted:

"PART VI—SPECIAL INVESTIGATIONS

"57. For the purposes of sub-section 173 (1) of the Ordinance, the prescribed manner in which a notice under that sub-section may Prescribed manner of giving notice under sub-section 173 (1) of the Ordinance

* Notified in the *Commonwealth of Australia Gazette* on 29 January 1981.

† Regulations 1962 No. 4 as amended by Regulations 1962 No. 10; 1970 No. 1; 1972 No. 3; 1974 No. 9; 1976 Nos. 12 and 31; and 1980 No. 3.

be given to an officer of a company affairs of which are being investigated under Part VIA of the Ordinance is—

- (a) by delivering the notice to the officer personally;
- (b) by sending the notice by post addressed to the officer at his last known place of residence or business; or
- (c) by leaving the notice with a person apparently over the age of 16 years at the officer's last known place of residence or business.

“58. For the purposes of sub-section 174 (5) of the Ordinance, the fees, and allowances for expenses, payable to an officer of a company required to attend for examination under Part VIA of the Ordinance shall be such fees, and allowances for expenses, in accordance with the scale in the Second Schedule to the Public Works Committee Regulations as in force from time to time under the *Public Works Committee Act* 1969 as the person who conducts the examination determines.”

5. The First Schedule to the Companies Regulations is amended by omitting from the first column “171 (3)” and substituting “173 (1)”. Fees and allowances payable to persons examined under Part VIA of the Ordinance
First Schedule

6. The Second Schedule to the Companies Regulations is amended by omitting Form 51 and substituting the following form: Second Schedule

FORM 51 Section 173 (1)
AUSTRALIAN CAPITAL TERRITORY

Companies Ordinance
NOTICE BY INSPECTOR

Investigation of affairs of Limited

To..... of.....
I..... of.....

was appointed on the day of 19.....
by the Minister of State for Business and Consumer Affairs, in pursuance of the powers conferred on him by the *Companies Ordinance* 1962, as an inspector to investigate affairs of Limited.

Under the provisions of that Ordinance, I, as such an inspector, may require an officer of a company affairs of which are being investigated—

- (a) to produce to me such books of that company and other books relating to affairs of that company as are in his custody or under his control;
- (b) to give me all reasonable assistance in connection with the investigation; and
- (c) to appear before me for examination on oath or affirmation in relation to affairs of that company.

Take notice that I hereby require you—

- * to produce to me such books of that company and other books relating to affairs of that company as are in your custody or under your control
- * and
- * to give me all reasonable assistance in connection with the investigation
- * and
- * to appear before me on the day of 19..... at o'clock in the noon at in the Australian Capital Territory for examination on oath or affirmation in relation to affairs of that company.

Dated this day of 19 Inspector

* Strike out where inapplicable.