

## COMPANIES (No. 2).

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No. 80 of 1972.

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**AN ACT to amend the Companies Act, 1961-1971.**

[Assented to 20th November, 1972.]

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Companies Act Amendment Act (No. 2), 1972.* Short title and citation.

(2) In this Act the Companies Act, 1961-1971, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Companies Act, 1961-1972.

Section 80  
amended.

2. Section 80 of the principal Act is amended—

- (a) by substituting for the words “A deed” in line one of subsection (1), the passage “Subject to subsection (1a) of this section, a deed”;
- (b) by substituting for the passage “subsection (5)” in line nine of paragraph (d) of subsection (1), the passage “subsection (7)”;
- and
- (c) by adding after subsection (1) a subsection as follows—

(1a) The Minister may, by notice published in the *Government Gazette*, declare that, subject to such terms and conditions as are specified in the notice, a specified deed that makes provision for the appointment of a specified company as trustee for or representative of the holders of the interests to which the deed relates is not required to contain covenants to the effect of such of the matters referred to in subsection (1) of this section as are specified in the notice and the Minister may, by notice so published, revoke such a notice or vary it in such manner as he thinks fit.

(1b) Where at any time prior to the commencement of the Companies Act Amendment Act (No. 2), 1972, a notice was published under section eighty-eight purporting to exempt a company, subject to such terms and conditions as were specified in the notice, from complying with the provisions of subsection (1) of this section in respect of a deed specified in the notice, the notice—

- (a) shall, notwithstanding any provision of this Act, have effect and be deemed always to have had effect according to its tenor; and
- (b) may, notwithstanding any provision of this Act, be varied or revoked by the Minister by notice published in the *Government Gazette*.