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COMPANIES (APPLICATION OF LAWS) ACT 1981. COMPANIES (APPLICATION OF LAWS) REGULATIONS 1986.

WHEREAS it is provided by section 15 of the *Companies (Application of Laws) Act 1981* that where, under the Agreement made on 22 December 1978 between the Commonwealth and the States, the Ministerial Council approves proposed regulations to be made under that Act for certain purposes, the Governor may make those regulations; the following regulations in accordance with that section are made by His Excellency the Governor in Executive Council:

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| Citation. | 1. These regulations may be cited as the Companies (Application of Laws) Regulations 1986. |
| Commence-
ment. | <p>2. (1) Paragraph (a) of regulation 4 shall come into operation on the day on which section 34 of the Commonwealth Act comes into operation.</p> <p>(2) Paragraph (b) of regulation 4 shall come into operation on the day on which section 35 of the Commonwealth Act comes into operation.</p> <p>(3) Paragraph (c) of regulation 4 shall come into operation on the day on which section 39 of the Commonwealth Act comes into operation.</p> <p>(4) Paragraph (d) of regulation 4 shall come into operation on the day on which section 44 of the Commonwealth Act comes into operation.</p> <p>(5) Paragraph (e) of regulation 4 shall come into operation on the day on which section 45 of the Commonwealth Act comes into operation.</p> <p>(6) Paragraphs (f), (g), (h) and (j) of regulation 4 shall come into operation on the day on which section 59 of the Commonwealth Act comes into operation.</p> <p>(7) Paragraph (k) of regulation 4 shall come into operation on the day on which section 74 of the Commonwealth Act comes into operation.</p> |

(8) Paragraphs (1), (m), (n), (o) and (p) of regulation 4 shall come into operation on the day on which section 95 of the Commonwealth Act comes into operation.

(9) In this regulation, "the Commonwealth Act" means the *Companies and Securities Legislation (Miscellaneous Amendments) Act 1985* of the Commonwealth.

Definition.

3. In these regulations, "the Act" means the *Companies (Application of Laws) Act 1981*.

Amendment of
Schedule 1 to
the Act.

4. Schedule 1 to the Act is amended—

(a) by deleting clause 4 and substituting the following clause—

“ 4. In section 12 of the Commonwealth Act—

(a) for the words "relevant Act" (wherever occurring) there were substituted the words "relevant Code"; and

(b) for subparagraph (ii) of paragraph (b) of subsection (1) there were substituted the following subparagraph—

“ (ii) a contravention of, or failure to comply with, a provision of the *Companies Act 1961* as in force at any time or of a previous law in force in a participating State or in a participating Territory that corresponded with that Act; or ”;

(b) by inserting after clause 5 the following clause—

“ 5AA. In section 16A of the Commonwealth Act, for the words "relevant Act" (wherever occurring) there were substituted the words "relevant Code". ”;

(c) by inserting after clause 8A the following clause—

“ 8AB. In section 30D (11) of the Commonwealth Act, after the passage "*Act 1985*" there were inserted the words "of the Commonwealth". ”;

(d) by inserting after clause 9 the following clause—

“ 9A. In section 31 (2) (a) (iib) of the Commonwealth Act, after the passage "*Act 1985*" there were inserted the words "of the Commonwealth". ”;

(e) in clause 12 (a), by inserting after the words "another Act" the passage—

“ , an Ordinance ”;

(f) by deleting clause 17A and substituting the following clause—

“ 17A. In section 66A of the Commonwealth Act, after the passage "*Act 1985*" there were inserted the words "of the Commonwealth". ”;

(g) by inserting after clause 29 the following clause—

“ 29A. In section 166 (6) of the Commonwealth Act, after the passage "*Act 1985*" there were inserted the words "of the Commonwealth". ”;

(h) by inserting after clause 36C the following clause—

“ 36D. In section 232 (4C) of the Commonwealth Act, after the passage "*Act 1985*" there were inserted the words "of the Commonwealth". ”;

(j) by inserting after clause 38 the following clause—

“ 38AA. (1) In section 238 (11) of the Commonwealth Act, after the passage "*Act 1985*" there were inserted the words "of the Commonwealth". ”;

(k) by inserting after clause 38A the following clause—

“ 38AB. In section 260 (8A) of the Commonwealth Act—

(a) for the words "made by" there were substituted the words "effected by"; and

(b) after the passage "*Act 1985*" there were inserted the words "of the Commonwealth". ”;

- (l) by deleting clause 42;
 - (m) by inserting after clause 55B the following clause—
 - “ 55C. In section 324A (6) of the Commonwealth Act—
 - (a) for the words “made by” there were substituted the words “effected by”; and
 - (b) after the passage “*Act 1985*” there were inserted the words “of the Commonwealth”. ”;
 - (n) by inserting after clause 70 the following clause—
 - “ 70A. In section 516 (6A) of the Commonwealth Act, after the passage “*Act 1985*” there were inserted the words “of the Commonwealth”. ”;
 - (o) by inserting after clause 72 the following clause—
 - “ 72A. In section 562 (4A) of the Commonwealth Act, after the passage “*Act 1985*” there were inserted the words “of the Commonwealth”. ”;
- and
- (p) by inserting after clause 73A the following clause—
 - “ 73B. In section 571 (7) of the Commonwealth Act, after the passage “*Act 1985*” there were inserted the words “of the Commonwealth”. ”.

By His Excellency's Command,
 G. PEARCE,
 Clerk of the Council.

COMPANIES (APPLICATION OF LAWS) ACT 1981.
 COMPANIES (APPLICATION OF LAWS—REGULATIONS)
 REGULATIONS 1986.

WHEREAS it is provided by section 15 of the *Companies (Application of Laws) Act 1981* that where, under the Agreement made on 22 December 1978 between the Commonwealth and the States, the Ministerial Council approves regulations proposed to be made under the *Companies Act 1981* of the Commonwealth and approves proposed regulations to be made under the *Companies (Application of Laws) Act 1981* in connection with the operation of the firstmentioned regulations, the Governor may make regulations amending Schedule 2 of that Act in accordance with the approval of the Ministerial Council; the following regulations in accordance with that section are made by His Excellency the Governor in Executive Council:

- Citation. 1. These regulations may be cited as the *Companies (Application of Laws—Regulations) Regulations 1986*.
- Commence-
ment. 2. These regulations shall come into operation on the day on which the *Companies Regulations (Amendment) (Statutory Rules 1986 No. 33)* of the Commonwealth come into operation.
- Definition. 3. In these regulations, “the Act” means the *Companies (Application of Laws) Act 1981*.
- Schedule 2
amended. 4. Schedule 2 of the Act is amended by inserting after clause 25 the following clause—
 - “ 25A. In Companies Form 61 in Schedule 2, in note (7), after the passage “*Act 1985*” there were inserted the words “of the Commonwealth”. ”.

By His Excellency's Command,
 G. PEARCE,
 Clerk of the Council.

COMPANIES (ACQUISITION OF SHARES)
(APPLICATION OF LAWS) ACT 1981.

COMPANIES (ACQUISITION OF SHARES)
(APPLICATION OF LAWS) REGULATIONS 1986.

WHEREAS it is provided by section 16 of the *Companies (Acquisition of Shares) (Application of Laws) Act 1981* that where, under the Agreement made on 22 December 1978 between the Commonwealth and the States, the Ministerial Council approves proposed regulations to be made under that Act for certain purposes, the Governor may make those regulations; the following regulations in accordance with that section are made by His Excellency the Governor in Executive Council:

Citation. 1. These regulations may be cited as the *Companies (Acquisition of Shares) (Application of Laws) Regulations 1986*.

Commence-
ment. 2. (1) Paragraph (a) of regulation 4 shall come into operation on the day on which sections 7 and 13 of the Commonwealth Act come into operation.

(2) Paragraph (b) of regulation 4 shall come into operation on the day on which section 25 (2) of the Commonwealth Act comes into operation.

(3) Paragraphs (c) and (d) of regulation 4 shall come into operation on the day on which section 27 of the Commonwealth Act comes into operation.

(4) In this regulation, "the Commonwealth Act" means the *Companies and Securities Legislation (Miscellaneous Amendments) Act 1985* of the Commonwealth.

Definition. 3. In these regulations, "the Act" means the *Companies (Acquisition of Shares) (Application of Laws) Act 1981*.

Amendment of
Schedule 1 to
the Act.

4. Schedule 1 to the Act is amended—

(a) by inserting after clause 2A the following clauses—

" 2B. In section 8A (4) of the Commonwealth Act, after the passage "*Act 1985*" there were inserted the words "of the Commonwealth".

2C. In section 18 (2C) of the Commonwealth Act, after the passage "*Act 1985*" there were inserted the words "of the Commonwealth". ";

(b) by deleting clause 5 and substituting the following clause—

" 5. In section 53 of the Commonwealth Act—

(a) in subsection (5) (b) for the words "that Act" there were substituted the words "that Code"; and

(b) in subsection (6) after the passage "*Act 1985*" there were inserted the words "of the Commonwealth". ";

(c) by inserting after clause 8 the following clause—

" 8A. In the Schedule to the Commonwealth Act, in clause 3 of Part B (wherever occurring), for the words "that Act" there were substituted the words "that Code". "; and

(d) by inserting after clause 9 the following clause—

" 10. In the Schedule to the Commonwealth Act, in clause 3 of Part D (wherever occurring), for the words "that Act" there were substituted the words "that Code". ";

By His Excellency's Command,
G. PEARCE,
Clerk of the Council.

SECURITIES INDUSTRY (APPLICATION OF LAWS) ACT 1981.

SECURITIES INDUSTRY (APPLICATION OF LAWS) REGULATIONS 1986.

WHEREAS it is provided by section 15 of the *Securities Industry (Application of Laws) Act 1981* that where, under the Agreement made on 22 December 1978 between the Commonwealth and the States, the Ministerial Council approves proposed regulations to be made under that Act for certain purposes, the Governor may make those regulations; the following regulations in accordance with that section are made by His Excellency the Governor in Executive Council:

Citation. 1. These regulations may be cited as the *Securities Industry (Application of Laws) Regulations 1986*.

Commence-
ment. 2. (1) Paragraphs (a) and (b) of regulation 4 shall come into operation on the day on which section 165 (1) of the Commonwealth Act comes into operation.

(2) Paragraph (c) of regulation 4 shall come into operation on the day on which section 170 of the Commonwealth Act comes into operation.

(3) Paragraph (d) of regulation 4 shall come into operation on the day on which sections 198 and 199 of the Commonwealth Act comes into operation.

(4) In this regulation, "the Commonwealth Act" means the *Companies and Securities Legislation (Miscellaneous Amendments) Act 1985* of the Commonwealth.

Definition. 3. In these regulations, "the Act" means the *Securities Industry (Application of Laws) Act 1981*.

Amendment of
Schedule 1 to
the Act.

4. (1) Schedule 1 to the Act is amended—

(a) by deleting clause 2 (1) (d) (ii) and substituting the subparagraph following—

" (ii) in paragraph (e) for the passage "*Ordinance 1985*" there were substituted the passage "*Act 1941*"; "; and

(b) by deleting clause 3 and substituting the clause following—

" 3. In section 8 of the Commonwealth Act, for the words "relevant Act" (wherever occurring) there were substituted the words "relevant Code". ";

(c) by inserting after clause 5 the clause following—

" 5A. In section 13 of the Commonwealth Act, for the words "relevant Act" (wherever occurring) there were substituted the words "relevant Code". "; and

(d) by inserting after clause 20A the clauses following—

" 20B. In section 142 (7) of the Commonwealth Act, after the passage "*Act 1985*" there were inserted the words "of the Commonwealth".

20C. In section 143 (1) of the Commonwealth Act, after the passage "*Act 1985*" there were inserted the words "of the Commonwealth". "

By His Excellency's Command,

G. PEARCE,
Clerk of the Council.

COMPANIES AND SECURITIES (INTERPRETATION AND
MISCELLANEOUS PROVISIONS) (APPLICATION OF LAWS)
ACT 1981.

COMPANIES AND SECURITIES (INTERPRETATION AND
MISCELLANEOUS PROVISIONS) (APPLICATION OF LAWS)
REGULATIONS 1986.

WHEREAS it is provided by section 12 of the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981* that where, under the Agreement made on 22 December 1978 between the Commonwealth and the States, the Ministerial Council approves proposed regulations to be made under that Act for certain purposes, the Governor may make those regulations; the following regulations in accordance with that section are made by His Excellency the Governor in Executive Council:

- Citation. 1. These regulations may be cited as the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Regulations 1986*.
- Commence-
ment. 2. These regulations shall come into operation on the day on which Part IV of the *Companies and Securities Legislation (Miscellaneous Amendments) Act 1985* of the Commonwealth comes into operation.
- Definition. 3. In these regulations, "the Act" means the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*.
- Amendment of
Schedule 1 to
the Act. 4. Schedule 1 to the principal Act is amended—
- (a) by inserting after clause 1 the clauses following—
- “ 1A. In section 5B (2) of the Commonwealth Act—
- (a) in paragraph (a), after the word "Printer" there were inserted the words "of Western Australia and all matters not forming part of, but set out in the document containing, the text of the relevant Act (within the meaning of the *Companies and Securities (Interpretation and Miscellaneous Provisions) Act 1980* of the Commonwealth as amended and in force for the time being) as printed by the Australian Government Printer, being the relevant Act corresponding to the relevant Code.”;
- (b) in paragraphs (b), (c), (d) and (f) for the word "enacted" (wherever occurring) there were substituted the word "made"; and
- (c) in paragraph (j)—
- (i) after the words "Journals of the Senate" there were inserted the words "or the Minutes of the Proceedings of the Legislative Council of Western Australia"; and
- (ii) after the words "House of Representatives" there were inserted the words "or the Legislative Assembly of Western Australia”.
- 1B. After section 5B (2) of the Commonwealth Act there were inserted the following subsection—
- “ (2A) In subsection (2), a reference to—
- (a) "Minister" includes a reference to a Minister of the State or Commonwealth or a Minister of State of Western Australia; and
- (b) "Parliament" includes a reference to the Parliament of the Commonwealth or the Parliament of Western Australia,
- as the case may require. ”;
- (b) in clause 3 (w), by deleting "definition of "regulations" " and inserting the following—
- “ definitions of "regulations" and "relevant Act" ”;
- (c) by inserting after clause 4 the following clause—
- “ 4A. In section 11A (4) of the Commonwealth Act—
- (a) for the words "made by" there were substituted the words "effected by”;

- (b) after the passage "*Act 1985*" there were inserted the words "of the Commonwealth". ";
- (d) by inserting after clause 6 the following clause—
 - " 6A. In section 14A (1) of the Commonwealth Act, for the passage "*Act 1981*" there were substituted the passage "*(Western Australia) Code*". ";
- and
- (e) in clause 11—
 - (i) by deleting paragraph (a);
 - (ii) after paragraph (b), by inserting "and";
 - (iii) in paragraph (c), by deleting the passage "; and" and substituting a full-stop; and
 - (iv) by deleting paragraph (d).

By His Excellency's Command,
G. PEARCE,
Clerk of the Council.