

COMPANIES.

15° Geo. VI., No. XXI.

No. 21 of 1951.

AN ACT to amend the Companies Act, 1943-1949.

[Assented to 27th November, 1951.]

BE it enacted by the King'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. This Act may be cited as the *Companies Act Amendment Act, 1951*, and shall be read as one with the Companies Act, 1943-1949 (Act No. 36 of 1943, as amended by Acts Nos. 12 of 1944, 31 of 1946, 32 and 84 of 1947, and 47 of 1949), referred to in this Act as the principal Act.

Short title.

2. The principal Act, as amended by this Act, may be cited as the Companies Act, 1943-1951.

Citation of principal Act as amended by this Act.

3. Subparagraph (a) of paragraph (i) of subsection (1) of section thirty-seven of the principal Act is amended by substituting for the word, "twenty-one" in line eight, the word, "fifty".

S. 37 amended.

S. 71
amended.

4. Subsection (1) of section seventy-one of the principal Act is amended by deleting the words, "but not being a no-liability company" in lines two and three.

S. 112
amended.

5. Section one hundred and twelve of the principal Act is amended by—

(a) adding after the word, "shall", in line one of subsection (1) the words, "subject to the provisions of subsection (2a) of this section";

(b) adding the following subsection:—

Cf. 11 and
12 Geo. 6.
Ch. 38, s. 124,
(1) (c), U.K.

(2a) The return may, in any year, if the return for either of the two immediately preceding years has given as at the date of that return the full particulars required by paragraphs (i) and (ii) of subsection (1) of this section, give only such of the particulars required by those paragraphs as relate to persons ceasing to be or becoming members since the date of the last return, and to shares transferred since that date, or to changes as compared with that date in the amount of stock held by a member.;

(c) substituting for the word, "twenty-one", appearing firstly in line eleven and secondly in line fifteen of subsection (3) the word, "fifty".

S. 138
amended.
Cf. No. 47
of 1949, s. 16.

6. Paragraph (b) of subsection (2) of section one hundred and thirty-eight of the principal Act is amended by adding after the word, "officer", appearing firstly in line one and secondly in line three, the words, "or director".

Ss. 358, 359
and 360
repealed.
amended.
S. 361

7. Sections three hundred and fifty-eight, three hundred and fifty-nine and three hundred and sixty of the principal Act are repealed.

8. Subsection (2) of section three hundred and sixty-one of the principal Act is amended by substituting for all words after the word, "offence", in line five to the end of the subsection, the words,

“or a continuing offence, as the case may be, punishable in accordance with the provisions of section four hundred and twenty-four of this Act”.

9. Subsection (7) of section three hundred and sixty-nine of the principal Act is amended by deleting the words, “any person contracting to take shares in consequence of such offer shall be in the same position as if such contract had been induced by the fraud of such person, and”, in lines two, three, four and five. S. 369
amended.

10. Subsection (4) of section four hundred and two of the principal Act is amended by— S. 402
amended.

- (a) substituting for the word, “or”, appearing secondly in line seven the word, “and”;
- (b) substituting for the word, “shall”, in line eleven the words, “may, subject to the provisions of section four hundred and five of this Act”.

11. Paragraph (a) of subsection (1) of section four hundred and six of the principal Act is amended by adding after the word, “duties” in line five, the words, “or is not a fit and proper person to remain registered”. S. 406
amended.
