

Act No. 9, 1907.

COMPANIES (AMENDMENT). An Act to amend the Companies (Amendment) Act, 1906; and for other purposes. [16th December, 1907.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act shall be construed with the Companies (Amendment) Act, 1906, and may be cited as the "Companies (Amendment) Act, 1907."

Amendment of
definition of
"company."

2. The definition of "company" in section two of the Companies (Amendment) Act, 1906, is amended by omitting the words "and Part III."

Companies (Amendment).

3. Section eight of the Companies (Amendment) Act, 1906, is repealed, and the following is substituted in its place:—

8. Every company registered under this Part having a capital List to be made divided into shares shall, in each year, make a list containing the each year. following particulars:—

- (a) The names of all persons who, on the fourteenth day succeeding the day on which the ordinary general meeting, or if there is more than one ordinary general meeting in the year the first of such ordinary general meetings, is held, are members of such company.
- (b) The number of shares held by each of such members.
- (c) The amount of the capital of the company, and the number of shares into which it is divided.
- (d) The number of shares taken from the commencement of the company up to the date of the return.
- (e) The amount of calls made on each share.
- (f) The total amount of calls received.
- (g) The total amount of calls unpaid.
- (h) The total amount of shares forfeited:

Provided that the Attorney-General may in his discretion, by notification in the Gazette, exempt any such company from making such list, or from setting forth in such list any of the particulars aforesaid, and may in like manner revoke or amend any such exemption.

4. Section nine of the Companies (Amendment) Act, 1906, is Amendment of section nine of Act of 1906. amended by omitting all the words after and including the words "Such list" to the end of the section, and by inserting in lieu thereof the following words: "Such list shall state whether such debentures, stock, or securities are charged on the whole of the assets of the company or on part only, and if so, what part of such assets."

5. Section ten of the Companies (Amendment) Act of 1906 is Lists and balance-sheet to be filed. repealed, and the following sections are inserted in its place:—

10. The lists mentioned in sections eight and nine of this Act shall respectively be completed within three months of the general meeting at which a balance-sheet is presented, or where more than one such meeting is held in a year, then within three months of the first of such meetings.

Such lists, and the balance-sheet so presented, shall be forwarded to the Registrar-General within the period above fixed for the completion of the said lists, and filed in his office; and the same shall be open for inspection at all reasonable times by any person requiring to inspect the same.

Such balance-sheet shall contain a statement of the assets and liabilities of the company.

10A. If any company makes default in completing or forwarding Penalty for default in forwarding list or balance-sheet. any such list or balance-sheet as aforesaid, such company, and every director,

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director, manager, and public officer of such company who knowingly and wilfully authorises or permits such default, shall be liable to a penalty not exceeding five pounds for every day during which such default continues.

Regulations.

6. The following section is inserted next after section fourteen of the Companies (Amendment) Act, 1906:—

14A. The Governor may make regulations prescribing the forms to be used for the purposes of this Part, and fixing the fees to be paid in respect of the registration of companies thereunder, and in respect of other matters mentioned in table B of the Second Schedule to the Companies Act, 1899, but not exceeding the fees mentioned in that Schedule, and providing for the payment and recovery of such fees, and generally for carrying out the provisions of this Part.
