

COMPANIES AND BUSINESS NAMES (AMENDMENT) ACT.

Act No. 51, 1957.

An Act to make further provisions with respect to the reservation of names for and the change of names by companies; to amend the Companies Act, 1936, and the Business Names Act, 1934, as amended by subsequent Acts; and for purposes connected therewith. Elizabeth II,
No. 51, 1957.
[Assented to, 4th December, 1957.]

BE it enacted by the Queen'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 :—

1. (1) This Act may be cited as the “Companies and Business Names (Amendment) Act, 1957”. Short title
and
citation.

(2) The Companies Act, 1936, as amended by subsequent Acts and by this Act, may be cited as the Companies Act, 1936-1957.

(3) The Business Names Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the Business Names Act, 1934-1957.

2. The Companies Act, 1936, as amended by subsequent Acts, is amended— Amendment
of Act
No. 33, 1936.

(a) by omitting subsection three of section thirty-two and by inserting in lieu thereof the following subsection:— Sec. 32.
(Restriction
on registra-
tion of
companies
by certain
names.)

(3) A solicitor engaged in the formation of a company, or a person named in the proposed articles as the secretary of a proposed company, or a company which proposes to change its name,

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name, or any person on behalf of such last-mentioned company, may file with the Registrar-General a prescribed notice specifying the name by which it is proposed that such company shall be registered or the proposed new name, as the case may be, and if that name is not identical with a name by which a company already in existence is registered, or with a name already reserved, or does not, in the opinion of the Registrar-General, so nearly resemble a name by which a company already in existence is registered, or a name already reserved, as to be calculated to deceive, or does not otherwise contravene the provisions of this section, the name shall be reserved for the proposed company, or the company, in respect of which the notice is filed, for a period of sixty days after the date of the filing of the notice.

Sec. 35.
(Change
of name.)

- (b) (i) by omitting from subsection one of section thirty-five the words "of the Governor" and by inserting in lieu thereof the words "in writing of the Registrar-General";
- (ii) by omitting subsection two of the same section;

Sec. 40.
(Alterations
to
memoran-
dum and
articles of
proprietary
companies.)

- (c) by omitting from subsection four of section forty the word "Governor" and by inserting in lieu thereof the word "Registrar-General".

Amendment
of Act
No. 50, 1934,
sec. 24.
(Persons or
firms not to
be registered
under
certain
business
or other
names.)

3. The Business Names Act, 1934, as amended by subsequent Acts, is amended by inserting next after paragraph (b) of subsection one of section twenty-four the following new paragraph:—

- (b1) a name identical with a name for the time being reserved under subsection three of section thirty-two of the Companies Act, 1936, as amended by subsequent Acts, or so nearly resembling a name for the time being reserved under that subsection as to be calculated to deceive; or.

FISHERIES