



New South Wales

Partnership Regulation 2002

under the

Partnership Act 1892

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Partnership Act 1892*.

BOB DEBUS, M.P.,
Attorney-General

Explanatory note

The object of this Regulation is to remake the *Partnership Regulation 1997*. That regulation will be repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

The new Regulation deals with the following matters:

- (a) the particulars that must be included in a statement made for the purposes of applying for the registration of a limited partnership, and
- (b) the hours during which the registered office of a limited partnership must be open and accessible to the public, and
- (c) the declaration of certain laws relating to limited partnerships in force in jurisdictions in the United States of America and Canada as corresponding laws for the purposes of Part 3 of the *Partnership Act 1892*, and
- (d) the fees payable under the Act.

This Regulation is made under the *Partnership Act 1892* and, in particular, under section 81 (the general regulation-making power).

The Regulation comprises matter set out in Schedule 3 to the *Subordinate Legislation Act 1989*—that is, matters of a machinery nature.

2002 No 250

Partnership Regulation 2002

Contents

Contents

	Page
1 Name of Regulation	3
2 Commencement	3
3 Definition	3
4 Application for registration of limited partnership	3
5 Declaration of limited partnership corresponding laws	3
6 Registered office of limited partnership	4
7 Fees	4
8 Savings	4
Schedules	
1 Specified jurisdictions	5
2 Fees	6

Partnership Regulation 2002

1 Name of Regulation

This Regulation is the *Partnership Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

Note. This Regulation replaces the *Partnership Regulation 1997*, which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

In this Regulation:

the Act means the *Partnership Act 1892*.

4 Application for registration of limited partnership

For the purposes of section 54 (2) (h) of the Act, the other particulars that must be included in a statement made for the purpose of applying for registration of a limited partnership are:

- (a) the date and place of birth of each proposed partner, and
- (b) the provisions, if any, that the proposed partners have agreed will apply should the proposed partnership be dissolved.

5 Declaration of limited partnership corresponding laws

- (1) For the purposes of the definition of *corresponding law* in section 64 (1) of the Act, the laws relating to limited partnerships in force in the jurisdictions of the United States of America specified in Part 1 of Schedule 1 are declared to be corresponding laws for the purposes of Part 3 of the Act.
- (2) For the purposes of the definition of *corresponding law* in section 64 (1) of the Act, the laws relating to limited partnerships in force in the jurisdictions of Canada specified in Part 2 of Schedule 1 are declared to be corresponding laws for the purposes of Part 3 of the Act.

2002 No 250

Clause 6 Partnership Regulation 2002

6 Registered office of limited partnership

For the purposes of section 76 (2) of the Act, the hours during which the registered office of a limited partnership is to be open and accessible to the public are the hours between 9 am and 5 pm on each day that is not a Saturday, Sunday or public holiday.

7 Fees

The fees payable under the Act are set out in Schedule 2.

8 Savings

Any act, matter or thing that, immediately before the repeal of the *Partnership Regulation 1997*, had effect under that Regulation continues to have effect under this Regulation.

Schedule 1 Specified jurisdictions

(Clause 5)

Part 1 Specified jurisdictions of United States of America

Alabama	Kentucky	Ohio
Arizona	Maryland	Oklahoma
Arkansas	Massachusetts	Oregon
California	Michigan	Pennsylvania
Colorado	Minnesota	Rhode Island
Connecticut	Mississippi	South Carolina
Delaware	Missouri	South Dakota
District of Columbia	Montana	Tennessee
Florida	Nebraska	Texas
Georgia	Nevada	Utah
Hawaii	New Hampshire	Virginia
Idaho	New Jersey	Washington
Illinois	New Mexico	West Virginia
Indiana	New York	Wisconsin
Iowa	North Carolina	Wyoming
Kansas	North Dakota	

Part 2 Specified jurisdictions of Canada

Quebec

2002 No 250

Partnership Regulation 2002

Schedule 2 Fees

Schedule 2 Fees

(Clause 7)

Fee to accompany a statement under section 54 (1) of the Act (application for registration of limited partnership)	\$649
Fee to accompany statement under section 56 (1) of the Act (notification of change in relation to registered particulars of limited partnership)	\$30 for up to 10 changes, plus \$1 for each additional change
Fee for inspection of Register of Limited Partnerships under section 57 (3) of the Act	\$12 per limited partnership inspected, plus \$1 per page for printed copy of any particulars relating to the partnership
Fee for issue under section 58 (1) of the Act of certificate as to formation and composition of limited partnership on registration or change in composition of partnership	Nil
Fee for issue under section 58 (2) of the Act, on application, of certificate as to formation and composition of limited partnership	\$12, plus \$1 per page for each page in excess of 5 pages
Fee for issue under section 58 (2) of the Act of certificate as to any other particulars recorded in the Register	\$24, plus \$1 per page for each page other than the first page

BY AUTHORITY
