
COMPANIES AMENDMENT ACT 1980

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COMPANIES AMENDMENT ACT 1980

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 No. 65 of 1980
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 AN ACT to amend the Companies Act 1962 for the purpose of changing the title of Registrar of Companies to Commissioner for Corporate Affairs, and to provide for related matters.

[Royal Assent 28 October 1980]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Companies Amendment Act* Short title. 1980.

2—(1) This section and section 1 shall commence on the date Commence- of assent to this Act. ment.

(2) Except as provided in subsection (1), this Act shall commence on the date fixed under section 2 (2) of the *Commissioner for Corporate Affairs Act* 1980.

Principal Act.

3—In this Act, the *Companies Act 1962** is referred to as the Principal Act.

Amendment of section 5 of Principal Act (Interpretation).

4—Section 5 (1) of the Principal Act is amended as follows:—

(a) by inserting the following definition after the definition of “charge”:—

“Commissioner” means the person holding office under the *Commissioner for Corporate Affairs Act 1980* as Commissioner for Corporate Affairs, and includes any Deputy Commissioner or Assistant Commissioner for the time being acting under section 5 (2) of that Act as Commissioner;

(b) by omitting the definition of “Registrar”.

Amendment of section 7 of Principal Act (Powers of inspection).

5—Section 7 of the Principal Act is amended by omitting subsections (1) to (6).

Amendment of section 42 of Principal Act (Registration of prospectus).

6—Section 42 (2) (b) of the Principal Act is amended by omitting “Registrar of Companies” and substituting “Commissioner for Corporate Affairs”.

Amendment of section 313 of Principal Act (Accounts and audit in respect of property vested in Commissioner).

7—Section 313 (2) of the Principal Act is amended by omitting “Registrar’s” and substituting “Commissioner’s”.

Miscellaneous amendments of references in Principal Act to Registrar of Companies.

8—Each of the provisions of the Principal Act specified in column 1 of Schedule 1 is amended by omitting “Registrar”, as indicated in column 2 of that Schedule, and substituting “Commissioner”.

*Act No. 66 of 1962. For this Act, as amended to 1969, see Appendix C to the Annual Volume of Statutes for 1969. Subsequently amended by Nos. 20 and 75 of 1973, No. 92 of 1974, and Nos. 5, 31, and 70 of 1978.

SCHEDULE 1

Section 8

AMENDMENT OF REFERENCES IN THE PRINCIPAL ACT
TO THE REGISTRAR

COLUMN 1	COLUMN 2	COLUMN 1	COLUMN 2
Provisions of the Principal Act amended	Number of times word omitted occurs in provision	Provisions of the Principal Act amended	Number of times word omitted occurs in provision
Section 5 (1)—definition of "certified"	2	Section 25 (1)	1
Section 7 (7)	1	(2)	1
(10)	2	(3)	1
(11)	3	Section 26 (1)	1
(12)	1	(2)	1
(13)	3	(3)	1
Section 9 (4) (a)	1	Section 27 (2)	1
Section 12 (1)	1	(3)	2
(2)	3	Section 28 (8)	1
(3)	2	(9)	2
(4)	1	Section 29 (5)	1
(5)	1	Section 34 (3)	1
(6)	3	Section 37 (1)	1
(7)	1	Section 38 (1)	1
(8)	3	Section 39 (1) (a)	1
Section 13 (1)	2	(c)	3
(2)	1	(b)	1
(3)	3	Section 40 (6)	2
(4)	1	Section 42 (1)	1
(5)	1	(2)	5
Section 16 (1)	2	Section 46 (5) (a)	1
(2)	2	(b)	1
(3)	1	Section 50 (1)	1
Section 21 (2)	3	Section 51 (2)	1
(3)	1	Section 52 (1) (b) (iii)	1
(4)	1	(2) (a)	1
(5)	1	(c)	1
(6)	1	(3)	1
Section 22 (1)	2	Section 54 (1)	1
(7)	1	(4)	2
(8)	1	Section 58 (1) (c) (ii)	1
(9)	2	(3)	1
(10)	1	(5)	1
Section 23 (1)	1	Section 61 (8)	1
(2)	2	Section 62 (4)	1
(3)	1	Section 63	1
Section 24 (2)	1	Section 64 (6)	1
(5)	1	(7)	1
		Section 65 (5)	1

COLUMN 1	COLUMN 2	COLUMN 1	COLUMN 2
Provisions of the Principal Act amended	Number of times word omitted occurs in provision	Provisions of the Principal Act amended	Number of times word omitted occurs in provision
Section 70 (2)	2	Section 155 (3)	1
Section 74A (6)	1	Section 156 (4)	1
Section 74F (1)	1	Section 157 (2)	1
(5)	2	Section 158 (4)	1
(10)	2	Section 159 (1)	1
(12)	1	(2)	1
(13)	1	Section 160 (1)	1
(14)	1	Section 161A (2)	1
Section 74H (3)	1	(3)	1
Section 77 (a)	1	(5)	1
Section 78 (1)	1	(6)	1
(2)	1	(7)	1
(3)	1	(8)	1
Section 80 (2)	1	(9)	1
Section 82 (2)	1	(10)	2
(3)	1	(11)	1
Section 83 (3)	1	(12)	2
(5)	1	(13)	2
Section 84 (3)	1	Section 162 (2)	1
Section 85 (1)	1	(15)	1
(2)	1	Section 177 (5) (b)	1
(3)	1	Section 181 (4)	1
Section 100 (1)	1	Section 183 (3), where firstly	
(5)	1	occurring	
Section 102 (1)	1	Section 184 (10)	1
Section 103 (1)	1	Section 186 (5)	1
(2)	1	Section 191 (1)	1
Section 105 (1)	2	(2)	1
(2)	1	Section 193 (1)	1
Section 108	2	Section 195 (1)	1
Section 112 (1)	1	(2)	2
Section 115 (1)	4	(3)	1
(3)	1	Section 199 (1)	2
(4)	1	(7)	2
Section 134 (6)	4	(15)	1
(7)	2	Section 202 (3) (a)	1
(9)	2	(7) (a)	1
Section 135 (5)	1	(b)	1
Section 136 (2)	1	Section 202B (1)	2
Section 140 (7)	2	(2)	1
Section 146 (1)	1	Section 203A (1)	2
Section 151 (2)	1	(2)	1
Section 152 (2)	2	(7)	1
Section 153 (3)	1	(8)	2

COLUMN 1	COLUMN 2	COLUMN 1	COLUMN 2
Provisions of the Principal Act amended	Number of times word omitted occurs in provision	Provisions of the Principal Act amended	Number of times word omitted occurs in provision
Section 203c (4)	1	(2)	1
Section 206 (9)	1	Section 310 (1)	1
Section 211A (1)	1	(2)	1
(2)	1	Section 311 (1)	2
Section 212 (5)	1	(2)	1
(9)	1	(3)	1
(12)	1	(4)	1
Section 214 (5)	2	Section 312	3
(6)	1	Section 313 (1)	1
Section 230 (1)	1	Section 346 (1)	2
(2) (a)	1	(2)	2
Section 233 (2)	1	(6)	1
Section 234 (3)	1	(9)	2
Section 240 (2) (a)	1	(10)	1
(6)	1	Section 347 (1)	3
Section 243 (3)	1	(2)	2
Section 254 (2) (a)	1	(3)	2
Section 257 (3) (c)	1	Section 348 (1)	1
Section 259 (4)	1	(2)	3
Section 272 (3)	1	(4)	1
(5)	1	(6)	1
(7)	1	(7)	1
Section 278 (2)	1	Section 349 (1)	2
Section 280 (1)	2	(2)	2
(2)	1	(3)	2
Section 281 (1)	1	Section 352 (1)	3
(2)	1	(2) (a)	2
Section 282 (1)	1	(2A)	2
Section 286 (2)	1	(5)	1
Section 287 (1)	1	(6)	1
(2)	3	Section 353 (1)	2
Section 296 (6), where firstly occurring		(2)	2
Section 306 (3)	3	Section 354 (6)	1
(6)	2	(7)	1
(8)	1	Section 371 (1)	2
Section 307 (2)	1	Section 372	1
Section 308 (1)	1	Section 381 (1)	1
(2)	1	Section 384 (1) (a)	2
(3)	1	(b)	3
(4)	1	(e)	1
(5)	1	(g)	1
(6)	1	(2)	1
Section 309 (1)	2	(3)	1

COLUMN 1 Provisions of the Principal Act amended	COLUMN 2 Number of times word omitted occurs in provision	COLUMN 1 Provisions of the Principal Act amended	COLUMN 2 Number of times word omitted occurs in provision
The Second Schedule:			
Heading to Schedule	1	45	1
Item 7	2	46	1
11	1	47	1
12	1	The Sixth Schedule:	
13	1	Part II—	
14	1	Paragraph 1	1
20	1	Paragraph 2 (2)	1
24	1	The Eighth Schedule:	
26	1	Part I—	
31	1	Paragraph 4	1
34	1	5	1
36	1	6	1
37	2	Part II—	
39	2	In last item in <i>Summary</i>	
42	1	of <i>share capital and</i>	
		<i>shares</i>	1