



THE COMPANIES, ETC. (AMENDMENT) ACT 2003

**THE COMPANIES, ETC. (AMENDMENT) ACT 2003 (APPOINTED DAY) (NO. 1) ORDER
2003**

In exercise of the powers conferred on the Treasury by section 33(2) of the Companies, etc. (Amendment) Act 2003^(a), and of all other enabling powers, the following Order is hereby made :-

1. Citation and interpretation

- (1) This Order may be cited as the Companies, etc. (Amendment) Act 2003 (Appointed Day) (No. 1) Order 2003.
- (2) In this Order, "the Act" means the Companies, etc. (Amendment) Act 2003.

2. Commencement of certain provisions of the Act

- (1) The provisions of the Act specified in Part 1 of the Schedule shall come into operation on 19th December 2003.
- (2) The provisions of the Act specified in Part 2 of the Schedule shall come into operation on 1st March 2004.

^(a) 2003 c.16

Article 2

SCHEDULE

PART 1

PROVISIONS OF THE ACT COMING INTO OPERATION ON 19TH DECEMBER 2003

The provisions in Schedules 1 and 2 to the Act that respectively amend and repeal provisions contained in the Companies (Transfer of Domicile) Act 1998.

PART 2

PROVISIONS OF THE ACT COMING INTO OPERATION ON 1ST MARCH 2004

Substitution and insertion of sections in the Companies Act 1931

section 2
section 3
section 4
section 6
section 9
section 15
section 16

Substitution and insertion of sections in the Limited Liability Companies Act 1996

section 18, but only in respect of the new sections 11C and 11D to be inserted in the Limited Liability Companies Act 1996
section 19
section 20

Substitution and insertion of sections in the Registration of Business Names Act 1918

section 22

Substitution and insertion of sections in the Partnership Act 1909

section 27
section 28

Substitution and insertion of sections in the Industrial and Building Societies Act 1892

section 29
section 30
section 31

Supplemental provisions

section 32(1) in respect of those items in Schedule 1 to the Act specified below;
section 32(2) in respect of those items in Schedule 2 to the Act specified below;
section 33.

Schedule 1 to the Act

The provisions in Schedule 1 that amend the enactments specified below to the extent noted -

Partnership Act 1909: paragraph 4;
Registration of Business Names Act 1918: paragraphs 5, 6 and 11;
Companies Act 1931: paragraphs 1 to 5, 6, 11, 13, 16 to 19, 22, 28 to 30;
Companies Act 1974: paragraphs 1, 3 to 5;
Interpretation Act 1976;
Companies Act 1982;
Income Tax (Exempt Companies) Act 1984;
Legal Practitioners Registration Act 1986;
Financial Supervision Act 1988;
Companies Act 1992;
International Business Act 1994;
Limited Liability Companies Act 1996: paragraph 4.

Schedule 2 to the Act

The provisions in Schedule 2 to the Act that repeal the enactments specified below to the extent noted –

Companies Act 1931: the entries relating to section 26(2), section 42(1), section 82(4), section 283A(2)(b) and section 321;
Companies Act 1968: the entries relating to sections 2 and 8;
Companies Act 1974: the entry relating to section 23(4);
Companies Act 1982: the entries relating to section 14(4) and (8), and Part 1 of Schedule 2;
Companies Act 1986: the entry relating to section 21;
Companies Act 1992: the entries relating to Schedule 2, entry 4 and Schedule 6, entry 6;
Limited Liability Companies Act 1996: the entries relating to section 2(2)(a), (b), (c) and (d);
Companies (Transfer of Functions) Act 2000: the entries relating to Schedule 1, entry 9 and Schedule 2, entry 23.

Made 17th December 2003

Minister for the Treasury

EXPLANATORY NOTE
(This Note is not part of the Order)

(1) This Order brings into force on 19th December 2003 the provisions that extend the application of the Companies (Transfer of Domicile) Act 1998.

(2) This Order brings into force on 1st March 2004, the provisions that amend –

(a) the Partnership Act 1909, Companies Act 1931, Limited Liability Companies Act 1986 and the Companies Act 1992 in relation to the functions of the Companies Registry division of the Financial Supervision Commission;

(b) the Companies Act 1931 in respect of prospectus requirements, bearer shares, and the procedure for a company to dispense with compliance with certain requirements of the Companies Acts 1931 to 1993 as may be permitted under regulations made by Treasury;

(c) the Companies Act 1982 relating to auditors of companies;

(d) the Income Tax (Exempt Companies) Act 1984 and the International Business Act 1994 in relation to the requisite qualifications to act as a secretary of such companies;

(e) the Companies Acts 1931 – 1993 and related legislation to correct anomalies and other minor amendments.

(3) This Order also brings into force on 1st March 2004 the repeals of enactments related to the amendments in paragraph (2) above.