

NEW ZEALAND.

ANNO VICESIMO NONO.

VICTORIÆ REGINÆ.

No.

ANALYSIS.

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| Title. | |
| Preamble. | until notice of revocation received. |
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| 2. British Company may appoint Attornies, whose acts shall be binding on Company. | 6. Justice of the Peace or Notary Public may receive declaration. Penalties for making false declaration. |
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AN ACT to facilitate the carrying on of business by Companies incorporated in Great Britain. Title.

WHEREAS Companies have been and may hereafter be formed in Great Britain for carrying on business in New Zealand and it would greatly conduce to the prosperity of the Colony to encourage the formation and facilitate the operations of such Companies. Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows :

I. The Short Title of this Act shall be "The British Companies Act 1865." Short Title.

II. Any Company incorporated in Great Britain either by Royal Charter or by any special Act of the Imperial Parliament or under the provisions of any Act of the Imperial Parliament relating to Public Companies may from time to time by any Instrument or Instruments in writing under their Common Seal empower any person or persons either generally or in respect of any specified matters as their Attorney or Attornies and either jointly or severally to do all acts and to execute deeds and instruments on their behalf within the Colony of New Zealand and every act done or purported to be done and every deed or instrument executed or signed by such Attorney or Attornies on behalf of the Company by whom he or they are appointed shall bind the same Company in the same way and to the same extent and have the same force and effect in every respect as if such Act had been done British Company may appoint Attornies whose acts shall be binding on Company.

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by the Company and as if such deed or instrument had been duly sealed with the Common Seal of the Company.

Declaration as to incorporation, &c., of company.

III. A declaration in the form provided by an Act of the Imperial Parliament passed in the 5th and 6th years of His late Majesty King William the Fourth chap. 42 indorsed upon or annexed to any such instrument appointing or purporting to appoint an Attorney or Attornies as hereinbefore mentioned made or purported to be made by one of the Directors of the Company so appointing an Attorney or Attornies to the effect following that is to say That the same Company is incorporated in Great Britain under the style mentioned in the same instrument That the seal affixed thereto is the common seal of the same company and that the seal has been so affixed and the same instrument executed and the powers and authorities purporting to be conferred by the same instrument upon the person or persons in the same instrument mentioned are authorised to be conferred under the constitution of the same company or in pursuance of the Articles of Association Bye Laws or Regulations for the time being thereof and that the person making such declaration is a Director thereof shall be final and conclusive evidence of the facts set forth therein.

Powers of Attornies to continue in force until notice of revocation received.

IV. Every power purporting to be granted by any Company incorporated in Great Britain as before mentioned shall as between the Company their successors and assigns on the one hand and the person or persons dealing with the attorney or attornies of the same company and all parties claiming through or under such person or persons on the other hand continue in force (notwithstanding the same power may have been revoked or the Company wound up or dissolved) until all and every the attornies to whom the same power is given shall have received notice or information of such revocation or determination.

Declaration of Attornies to be sufficient proof of non-revocation.

V. A solemn declaration in the form set forth in the Schedule hereunto annexed made by the attorney or any one of the attornies whether joint or several appointed under such instrument that he has not received any notice or information of the revocation or determination of the same shall be taken to be conclusive proof of such non-revocation and non-determination at the time of making such declaration.

Justice of the Peace or Notary Public may receive declaration. Penalties for making false declaration.

VI. It shall be lawful for any Justice of the Peace or Notary Public to take and receive the declaration of any person voluntarily making the same before him in the form to the Schedule to this Act annexed and any person who shall wilfully make and subscribe any such declaration knowing the same to be untrue in any material particular shall be deemed guilty of a misdemeanor and on conviction thereof

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shall be liable at the discretion of the Court trying the offence to be imprisoned with or without hard labour for any term not exceeding three years or to pay such fine as the Court shall award.

VII. Nothing in this Act contained shall be construed to authorise any Company incorporated as aforesaid to issue Bank Notes or Promissory Notes payable on demand within the colony.

Act not to authorise
issue of Bank or Pro-
missory Notes.

THE SCHEDULE REFERRED TO IN THE FOREGOING ACT.

Schedule.

I, A. B., of [place of abode and occupation], do solemnly and sincerely declare that [insert facts], and I make this solemn declaration conscientiously believing the same to be true, and by virtue of an Act of the General Assembly of New Zealand, entitled the "British Companies' Act, 1865."