

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Tuesday, the 18th Day of October 1966

COMPANIES AMENDMENT BILL

Proposed Amendment

Hon. Mr HANAN, in Committee, to move the following amendment:

New Clause

To insert, after clause 7A, the following new clause:

7B. Transitional provisions as to trustees for debenture holders—Where at any time before the eighth day of July, nineteen hundred and sixty-six,—

(a) A company has entered into a deed providing for the appointment of a trustee for debenture holders in respect of the acceptance of deposits with or loans to the company; and

(b) At the commencement of this Act there is a trustee for the debenture holders in office under the trust deed—

section 95A of the principal Act (as inserted by section 5 of this Act) shall not apply, until the first day of April, nineteen hundred and sixtyseven, to the acceptance of any deposits or loans contemplated by the terms of the trust deed:

Provided that subsection (6) and (so far as applicable) subsection (7) of the said section 95A, and sections 95B to 95D of the principal Act (as so inserted), shall apply with respect to the trustee for the debenture holders and the company and its auditors from the commencement of this Act.

EXPLANATORY NOTE

The effect of the proposed new clause is that where before 8 July 1966 (which was the date of the introduction of the Bill) a company has entered into a trust deed providing for the appointment of a trustee for debenture holders in respect of the acceptance of deposits with or loans to the company, and there is a trustee in office under the deed at the commencement of the new Act, the provisions of section 95A (as inserted by clause 5 of the Bill) requiring the appointment of an eligible body corporate as trustee will not, until 1 April 1967, prevent the continued acceptance of deposits or loans under the trust deed.
