

Serial Number 1942/299



**THE COMPANIES EMERGENCY REGULATIONS 1942,
AMENDMENT NO. 1**

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 14th day of
October, 1942.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the Companies Emergency Regulations 1942, Amendment No. 1, and shall be read together with and deemed part of the Companies Emergency Regulations 1942* (hereinafter referred to as the principal regulations).

2. The principal regulations are hereby amended by adding thereto the following new regulations :—

“ 3. (1) In the case of any company which, on the fourteenth day after the first or only ordinary general meeting in any year, has more than one hundred members it shall not be necessary, unless the Registrar otherwise directs, for the return referred to in subsection (1) of section 117 of the Act to contain a list of all persons who on that date are members of the company if the return contains a list of all persons who have ceased to be members since the date of the last return or, in the case of a first return, of the incorporation of the company and of all those present members who since that date have transferred any shares or have acquired any shares, whether by allotment, transfer, or otherwise.

“ (2) Except as provided in the last preceding subclause, the return shall comply with all the provisions of the said section 117.

“ 4. (1) Notwithstanding anything to the contrary in the Act in the case of any company with respect to which in any period since the date of the last return no changes have taken place which would necessitate alterations to or omissions from or additions to the particulars contained in that return, it shall in regard to the current year be a sufficient compliance with the provisions of sections 117 to 119 and of the Fifth Schedule of the Act if, in lieu of the annual return, a

* Statutory Regulations 1942, Serial number 1942/210, page 499.

certificate, signed by a director or by the manager or by the secretary of the company, stating that no such changes have taken place during the period since the last return is forwarded to the Registrar, accompanied by a fee of 5s. and by the documents referred to in the next succeeding subclause.

“(2) The certificate shall in the case of any company to which subsection (3) of section 119 of the Act applies be accompanied by a copy, certified by a director or the manager or secretary of the company to be a true copy, of the last balance-sheet which has been audited by the company’s auditors, including every document required by law to be annexed thereto, together with a copy of the report of the auditors thereon certified as aforesaid, and if any such balance-sheet is in a foreign language there shall also be annexed to it a translation thereof in English, certified in the manner prescribed by the Companies Regulations 1934* to be a correct translation :

“Provided that if the said last balance-sheet did not comply with the requirements of the law as in force at the date of the audit with respect to the form of balance-sheets there shall be made such additions to and corrections in the said copy as would have been required to be made in the said balance-sheet in order to make it comply with the said requirements, and the fact that the said copy has been so amended shall be stated thereon.”

C. A. JEFFERY,
Clerk of the Executive Council.

* *Gazette*, 19th April, 1934, Vol. I, page 1127.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 15th day of October, 1942.

These regulations are administered in the office of the Registrar of Companies.