

*Samoa Companies Order, 1922.*

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 1st day of  
May, 1922.

Present:

THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by the Samoa Act, 1921, and of all other powers and authorities enabling him in that behalf to make regulations for the peace, order, and good government of Samoa, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby order as follows:—

1. This Order may be cited as the Samoa Companies Order, 1922, and shall come into force on the first day of July, one thousand nine hundred and twenty-two.

2. Subject to the following provisions hereof, the Companies Act, 1908, and its amendments (with the exception of section six, subsections one and two; section eight, subsection two; sections one hundred and eleven to one hundred and twenty inclusive, two hundred and seventeen, two hundred and eighteen, two hundred and nineteen, and Parts VII, VIII, IX, XI, and XII) shall, so far as applicable, be in force in Samoa.

3. In the application of the Companies Act, 1908, to Samoa, all references to New Zealand shall be read as references to Samoa; all references to the Court shall be read as references to the High Court of Western Samoa; all references to the *Gazette* shall be read as references to the *Western Samoa Gazette*; all references to the Public Account or the Consolidated Fund shall be read as references to the Samoan Treasury; all references to the Stamp Duties Act, 1908, shall be read as references to the ordinance for the time being in force in Samoa relating to the imposition of stamp duties; and all references to the Minister of Internal Affairs shall be read as references to the Chief Judge of the High Court.

4. The Registrar for the time being of the High Court of Western Samoa shall be the Registrar of Companies in Samoa, and the office for the registration of companies shall be the office of the said Registrar of the High Court.

5. The seal of the Registrar of Companies in Samoa shall be the Royal Arms having the words "Western Samoa, Registrar of Companies" encircling the arms.

6. (1.) Where a company is being wound up under order of the Court, the Samoan Public Trustee shall, without the necessity of any appointment or order, be the sole liquidator (under the style of the "Official Liquidator") of the company.

(2.) The provisions of section forty-two of the Public Trust Office Act, 1908, shall, *mutatis mutandis*, apply to the Samoan Public Trustee as official liquidator.

7. All fines under the Companies Act, 1908, may in Samoa be recovered in the High Court of Western Samoa in accordance with its usual procedure.

8. (1.) No prospectus as defined by section two of the Companies Act, 1908, shall be issued in respect of any company incorporated or intended to be incorporated in Samoa.

(2.) If any such prospectus is issued in breach of this clause, every person responsible for the breach shall, without prejudice to any other liability, be liable to a fine of one hundred pounds.