

- (7) The Minister may prescribe —
- (a) the manner and format in which such electronic records shall to be filed, created or issued; and
 - (b) the manner or method of payment of any fee or charge for filing, creating or issuing any electronic records under paragraph (a).”

(i) in Schedules —

- (b) by repealing paragraph 3 in Part I of the First Schedule and substituting therefor the following —

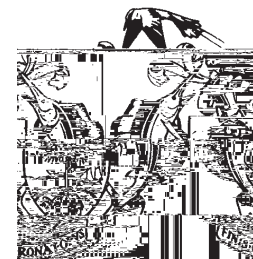
“3. The objects or lawful purpose for which the company is established.”

- (c) by repealing paragraph 3 in part III of the First Schedule and substituting therefor the following —

“3. The objects or lawful purpose for which the company is established.”

I certify 2013.

Azarel Ernesta
Clerk to the National Assembly

COMPANIES (AMENDMENT) ACT, 2013

(Act 5 of 2013)

I assent



J. A. Michel
President

18th July, 2013



AN ACT to amend the Companies Act, 1972.

ENACTED by the President and the National Assembly.

1. This Act may be cited as the Companies (Amendment) Act, 2013.

Short title

2. The Companies Act, 1972 is amended —

(a) in section 2 —

(i) by repealing in the definition of “contributory” the words and figures “by section 204” and substituting therefor the words and figures “under the Insolvency Act 2013”;

(ii) by repealing in the definition of “creditors” “voluntary winding up” the words and figures “by section 253(4)” and substituting the words and figures “under the Insolvency Act 2013”;

(iii) by repealing in the definition of “members” voluntary winding up” the words and figures “by section 253(4)” and substituting therefor the words and figures “under the Insolvency Act 2013”;

(iv) by repealing in the definition of “Official Receiver” the words and figures “under section 214” and substituting therefor the words and figures “under the Insolvency Act 2013”;

the Insolvency Act 2013”; by repealing in the definition of

0ii) “winding up ~~the Insolvency Act 2013~~” figures “under

(b) accessible so as to be usable for a subsequent reference.

(2) (a) Where this Act requires for the authentication by affixing the signature on any documents, information or matter by any person, such requirement shall be deemed to have been satisfied if such documents, information or matter is authenticated by means of digital signature affixed in such manner as prescribed by regulations.

(b) For the purpose of this section digital signature” means the authentication of any electronic record by a subscriber by means of a electronic method or the i) lmentsbeen

(b) in section 4 —

(i) by repealing subsection (1) (c) and substituting the following —

“(c) the objects or the lawful purpose of the company; and”

(ii) by inserting in subsection (2) between the word, “object” and “of” the words “or lawful purpose”;

(c) in section 10 —

(i) by repealing subsection 2(a) and (b) and substituting the following —

“2(a) The Registrar shall satisfy himself that the memorandum and articles comply with the forgoing provisions of this Act and the objects or lawful purposes of the company, are lawful.”

“(b) A company shall not be identical to a name of a previously registered company or a name which is undesirable;”;

(d) in section 122 —

(i) by repealing in subsection 3(1) the words and figures “paragraph (b) of section 247(1)” and substituting the words and figure “section 146(1) (a) (i) of the Insolvency Act 2013”;

- (ii) by repealing in subsection (4) (c) the words and figures “paragraph (a) of section 247(1)” and substituting the words and figures “section 146 (1) (b) of the Insolvency Act 2013”;
- (e) in 169 by repealing the words “Christian name” and substituting therefor the words “forename” wherever is appears in the section;
- (f) in section 170—
 - (i) by repealing subsection (1) (a),(b) and (c) and substituting therefor the following—
 - “(a) his present forename or the initials thereof and present surname;
 - (b) any former forenames and surnames;
 - (c) his nationality,”;
 - (ii) by repealing in subsection (3) the words “Christian name” and substituting therefor the word “forename” wherever it appears in the subsection;
- (g) in Part VI - Winding-up—
 - (i) by repealing sections 202 to 304 and substituting therefor the following—