

COMPANIES ORDINANCE 2017
COMPANIES ORDINANCE (AMENDMENT OF
SCHEDULES) ORDER 2017

(Legal Notice 73 of 2017)

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

- 1. Citation and commencement**
- 2. Schedule 1 amended**

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SCHEDULES) ORDER 2017

(Legal Notice 73 of 2017)

MADE by the Acting Governor under section 308(1) of the Companies Ordinance 2017.

Citation and commencement

1. (1) This Order may be cited as the Companies Ordinance (Amendment of Schedules) Order 2017 and comes into force on 1 December 2017.

Schedule 1 amended

2. Schedule 1 of the Companies Ordinance 2017 (referred to in this Order as “the Ordinance”) is amended—

(a) in paragraph 2—

(i) in the definition of “registered not for profit association”, by deleting “commencement date” and substituting “transition commencement date”;

(ii) by inserting after the definition of “registration date”, the following definition—

“transition commencement date” means 31 December 2017”; and

(iii) in the definition of “transition period”, by deleting “commencement date” and substituting “transition commencement date”;

(b) in paragraph 8(4)(c), by deleting “commencement date” and substituting “transition commencement date”; and

(c) by inserting after paragraph 22, the following paragraph—

“Postponement of certain provisions of this Ordinance

23. (1) An application specified in subparagraph (2) may not be made before the transition commencement date.

(2) The following applications are specified for the purposes of subparagraph (1)—

- (a) an application under section 9 for the incorporation of a company;
 - (b) an application under section 38 to reserve a name;
 - (c) an application by a foreign company under section 220 to continue under this Ordinance; and
 - (d) an application by a foreign company under section 268 for registration under Part XVI.”
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MADE by this 29th day of November 2017.

**ANYA WILLIAMS
ACTING GOVERNOR**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends schedule 1 to the Companies Ordinance 2017 to insert a new definition of “transition commencement date” (31 December 2017). The transition will start on the transition commencement date.

Given that the Companies Ordinance 2017 came into force before the commencement of the transition period, it is essential to provide that no companies can be incorporated under the Companies Ordinance 2107 until the transition period commences otherwise there will be two regimes running concurrently. This would not previously have been a problem as the Ordinance would have come into force at the same time as the transition period commenced. This is the purpose of new paragraph 23.