

ELIZABETH II



1981 CHAPTER XX

An Act to make provision for the transfer to the State of New South Wales in the Commonwealth of Australia of the incorporation of The Wallerawang Collieries Limited; for the cesser of application to that company of provisions of the Companies Acts 1948 to 1980; and for other purposes incidental thereto.

[27th July 1981]

WHEREAS The Wallerawang Collieries, Limited (hereinafter referred to as "the Company") is an existing company within the meaning of the Companies Acts 1948 to 1980 and is a company limited by shares:

And whereas the Company was incorporated on 19th December 1923 under the Companies Acts 1908 to 1917:

And whereas the Company carries on the business of producing and selling coal as well as activities incidental thereto:

And whereas the registered office of the Company is situate in England:

And whereas having regard to the fact that the area of operation of the Company is wholly in the Commonwealth of Australia certain advantages would accrue to the Company if the Company were incorporated under the laws of New South Wales instead of under the laws of England:

And whereas no procedure exists whereby the incorporation of a company to which the Companies Acts 1948 to 1980 apply can be transferred from England to another country:

And whereas it is desirable that the Company should be enabled to become a company incorporated under the laws of New South Wales and that thereupon the provisions of the Companies Acts 1948 to 1980 (with the exception of those provisions which apply to oversea companies) should cease to apply to the Company:

And whereas by virtue of the legislation relating to companies which is in force in New South Wales, the Company will be enabled, upon the passing of this Act, and, subject to compliance with the requirements of that legislation, to become a company incorporated under the laws of New South Wales:

And whereas it is expedient that such provisions should be enacted as are in this Act contained:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the Wallerawang Collieries, Limited Act 1981.

Interpretation.

2. In this Act unless the subject or context otherwise requires—

1948 c. 38.

“the companies' registrar” means the registrar or other officer performing under the Companies Act 1948 the duty of registration of companies in England;

“the Company” means The Wallerawang Collieries, Limited;

“the date of incorporation” means the date on which the Company becomes a company incorporated under the laws of New South Wales;

“existing” means existing immediately before the date of incorporation;

“New South Wales” means the State of New South Wales in the Commonwealth of Australia.

Power to become incorporated in New South Wales.

3. Subject to the laws in force in New South Wales and with such legislative, governmental, municipal or other authority, concession, licence or consent as is necessary the Company may become incorporated under the laws of New South Wales.

4.—(1) As soon as reasonably practicable after the date of Registrar in incorporation the Company shall notify the companies' registrar England to thereof by telex or cablegram and shall also transmit to him by strike off registered or insured post a copy of the certificate of the incorpora- register, but tion of the Company in New South Wales and on the receipt of identity to be the said certificate the companies' registrar shall with effect preserved. from the date of incorporation strike the name of the Company from the register in England and on and from that date the provisions of the Companies Acts 1948 to 1980 (with the exception of those provisions which apply to oversea companies) shall not apply to the Company but the Company shall (save for its incorporation in New South Wales) for all purposes be the same company as the existing company.

(2) The companies' registrar shall retain and register the copy of the certificate transmitted to him under subsection (1) above.

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Controller and Chief Executive of Her Majesty's Stationery Office and
Queen's Printer of Acts of Parliament

(1) The directors of the company shall be responsible for the management of the company and for the conduct of its business and shall exercise the powers conferred on them by the directors of the company.

(2) The directors of the company shall be entitled to receive such remuneration as may be determined by the directors of the company.

(3) The directors of the company shall be entitled to receive such remuneration as may be determined by the directors of the company.

(4) The directors of the company shall be entitled to receive such remuneration as may be determined by the directors of the company.

(5) The directors of the company shall be entitled to receive such remuneration as may be determined by the directors of the company.

(6) The directors of the company shall be entitled to receive such remuneration as may be determined by the directors of the company.

THE DIRECTORS OF THE COMPANY

1981