



REPUBLIC OF NAURU

CORPORATION (AMENDMENT) ACT 1975

(No. 14 of 1975)

ARRANGEMENT OF SECTIONS

Section

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**AN ACT****To amend the Corporation Act 1972****(Certified: 20th November, 1975)****Enacted by the Parliament of Nauru as follows:****SHORT TITLE**

1. This Act may be cited as the Corporation (Amendment) Act 1975.

THE PRINCIPAL ACT

2. In this Act "the principal Act" means the Corporation Act 1972.

AMENDMENT OF SECTION 5 OF THE PRINCIPAL ACT

3. Section 5 of the principal Act is amended by adding thereto the following new subsection (9)—

"(9) The Minister—

- (a) in granting or refusing to grant a licence under the provisions of this section;
- (b) in imposing under this section any condition subject to which a specified business may be carried on by a corporation or a class of corporations; and
- (c) in restricting a corporation or a class of corporations from carrying on any specified business in Nauru,

shall not be required to act judicially and the grant, refusal, imposition of a condition or restriction shall not be subject to challenge in any Court."

AMENDMENT OF SECTION 7 OF THE PRINCIPAL ACT

4. Section 7 of the principal Act is amended by deleting from subsection (2) thereof the words "the Chief Secretary with the approval of the Cabinet" and by inserting in lieu thereof the words "the Minister".

AMENDMENT OF SECTION 16 OF THE PRINCIPAL ACT

5. Section 16 of the principal Act is amended by deleting from subsection (1) thereof the words "the following and no other matters".

AMENDMENT OF SECTION 19 OF THE PRINCIPAL ACT

6. Section 19 of the principal Act is amended by deleting from subsection (6) thereof the words "If the Registrar is satisfied as to the bona fides of the application and" and by inserting in lieu thereof the words "If the Registrar considers that the application is made bona fide and is satisfied".

AMENDMENT OF SECTION 179 OF THE PRINCIPAL ACT

7. Section 179 of the principal Act is amended by deleting the figure "248" in subparagraph (viii) of paragraph (g) of subsection (1) thereof and by inserting in lieu thereof the figure "247".

AMENDMENT OF SECTION 218 OF THE PRINCIPAL ACT

8. Section 218 of the principal Act is amended by adding thereto the following new subsection (5) —

"(5) Notwithstanding the provisions of subsections (1) and (2), where a corporation, or an officer of a corporation, notifies the Registrar in writing that the corporation does not intend to renew the certificate of incorporation of the corporation, the Registrar may, when the period of validity of the most recent certificate of incorporation has expired, forthwith strike the name of the corporation off the register without having given to the corporation any notice of his intention to do so; and the striking-off of the name of the corporation shall be deemed to have been done under subsection (2)."

AMENDMENT OF SECTION 232A OF THE PRINCIPAL ACT

9. Section 232A of the principal Act is amended —

(a) by inserting in subsection (1) thereof immediately after the words "approval of the Minister" the words "and within two months from the date on which that approval is obtained";

(b) by adding the following new subsection (5) thereto —

"(5) Where a corporation notifies the Registrar under the last preceding subsection that an instrument of continuation continuing the corporation in another country or jurisdiction has been executed by the proper officer of the other country or jurisdiction and that notification is false, then, notwithstanding that the Registrar has removed the name of the corporation from the register in pursuance of the provisions of that subsection, —

(a) the liability, if any, of every officer and member of the corporation shall continue and may be enforced as if the corporation were still registered under this Act; and

(b) the corporation shall be liable to be wound up pursuant to the provisions of this Act as if it were still registered under this Act."; and

(c) by renumbering the present subsection (5) thereof as subsection (6).