

CHAPTER 179.

ENGLISH COMPANIES (HOLDING OF LANDS).

[No. VII of 1868.]

[No. XII of 1910.]

[29th July, 1868.]

[10th September, 1910.]

Short title.

1. This Ordinance may be cited as the English Companies (Holding of Lands) Ordinance.

Power to company incorporated under the Companies Acts to hold lands in the colony.
Chapter 178.

2. Any company already incorporated, or which may hereafter be incorporated, under the Companies Acts of the Imperial Parliament may hold lands and other immovable property in this colony in the same manner to all intents and purposes as if that company had been incorporated in this colony under the Companies Ordinance for the time being in force.

Evidence of incorporation of company.

3. Any company already registered, or which may hereafter be registered, under either of the aforesaid Acts of Parliament may deliver to the Registrar of Deeds, for record by him, a certificate of incorporation of the company purporting to be under the hand of the Registrar of Joint Stock Companies, or a copy of the certificate of incorporation proved to be a true and correct copy by the oath or solemn declaration of the secretary or other officer of the company sworn or made before the mayor or other chief magistrate of any city, town, or borough, or before any notary public or justice of the peace in Great Britain or Ireland, and the certificate or copy thereof duly recorded, or any office copy thereof certified by that Registrar, shall be conclusive evidence in this colony of the incorporation of that company.

Evidence of memorandum and articles of association.

4. Any company already registered, or which may hereafter be registered under either of the aforesaid Acts of Parliament may deliver to the Registrar of Deeds for record by him, a copy of the memorandum of association, and a copy of the articles of association, registered under either of the said Acts of Parliament, and proved to be

true and correct copies by the oath or solemn declaration of the secretary or other officer of the company sworn or made in manner hereinbefore mentioned; and every copy aforesaid, duly recorded, or any office copy thereof certified by the Registrar of Deeds, shall be conclusive evidence in this colony, of the memorandum of association and articles of association respectively and of the signing thereof by those by whom they respectively purport to be signed.

5. Any deed of an incorporated company registered under the Companies Acts aforesaid executed out of the colony, but recorded in the colony, shall be executed under the common seal of the company in the presence of two witnesses; and

Proof of deed executed out of the colony.

(a) the execution of the deed,

(b) that the seal affixed thereto is the common seal of the company and was affixed thereto by the authority of the board of directors or managers of the company and in conformity with the articles of association of the company,

(c) the signatures of the directors or managers to the deed (where those signatures are required by the articles of association of the company), and

(d) the signature to the deed of the secretary or other officer by whom the seal has been affixed,

may be proved by the affidavit or solemn declaration of one of those witnesses or of the secretary or other officer affixing the seal, sworn or made in manner hereinbefore mentioned.

6. Every instrument made in the colony on behalf of any company aforesaid and executed in the presence of two witnesses under the hand of anyone empowered by instrument in writing under the common seal of the company, either generally or in respect of any specified matter, as its attorney to execute deeds on its behalf in the colony, shall be binding on the company, and have the same effect as if it were under the common seal of the company.

Binding effect of instrument under hand of company's attorney.

7. Any company aforesaid may hold lands and other immovable property and interests therein in the colony in the same manner and to the same intents and purposes as if that company had been incorporated in the colony under any Ordinance or Ordinances for the time being in force providing for the incorporation of companies, and in the colony shall have all such other rights, powers and privileges, and be subject to all such liabilities and duties as are in and by the foregoing provisions of this Ordinance

Companies incorporated in England under 8 Edw. 7, c. 69, may hold lands.

conferred and imposed on companies incorporated under the Acts aforesaid.

Temporary provision.

8.—(1) Any transport, grant, concession, licence, transfer, lease, or other disposition, of land or other immovable property or any interest therein, passed, granted, issued, or made to any company incorporated under the Companies (Consolidation) Act, 1908, before the tenth day of September, nineteen hundred and ten, shall be as valid and effectual for all purposes whatsoever as if it had been passed after that date.

(2) Any act, deed, document, instrument, affidavit, declaration, certificate, office copy, copy, proceeding, or thing of, or in connection with, or on behalf of, any such company heretofore done, made, executed, sworn or declared, issued, granted, taken, attested, or recorded in the manner in and by section three, four, five and six hereof provided, for the doing, making, executing, deposing or declaring, issuing, granting, taking, attesting, or recording of like acts, deeds, documents, instruments, affidavits, declarations, certificates, office copies, copies, proceedings, or things of or in connection with companies registered under the Acts aforesaid, shall be of the same validity and have the same effect as evidence or otherwise as if that company had been registered under the last mentioned Acts.

Proof of documents signed by Registrar or Assistant Registrar of companies.

8 Edw. 7, c. 69.

9. Any certificate or other document, or any copy or extract from, or part of, any other document heretofore or hereafter purporting to be duly signed, attested, or certified by the registrar of companies or the registrar as those expressions are defined in section two hundred and eight-five of the Companies (Consolidation) Act, 1908, or by an assistant registrar, shall have the same force and effect as if it purported to be signed, attested, or certified by the Registrar of Joint Stock Companies as provided in the foregoing sections hereof, and any copy of a memorandum of association or articles of association of that company heretofore or hereafter purporting to be similarly signed, attested, or certified, delivered to the registrar of deeds to be recorded by him, shall have the same effect as if proved to be a true and correct copy by the oath of the secretary of the company as provided in the foregoing sections hereof, and every copy so recorded, or any office copy thereof certified by the registrar of deeds shall be conclusive evidence in the colony of the memorandum and articles of association aforesaid respectively.