



ANNO VICESIMO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1973

No. 48 of 1973

An Act to amend the Companies Act, 1962-1972.

[Assented to 15th November, 1973]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Companies Act Amendment Act, 1973". Short titles.

(2) The Companies Act, 1962-1972, as amended by this Act, may be cited as the "Companies Act, 1962-1973".

(3) The Companies Act, 1962-1972, is hereinafter referred to as "the principal Act".

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

3. Section 9 of the principal Act is amended by striking out subsection (18) and inserting in lieu thereof the following subsection:— Amendment of principal Act, s. 9—

(18) A person who is, or is for the time being performing the duties of, Auditor-General of the Commonwealth, or of a State or Territory of the Commonwealth, shall, when acting in the exercise of his powers or the performance of his duties, be deemed to be a registered company auditor for the purposes of this Act, or any other Act. Registration of auditors and liquidators.

Amendment of principal Act, s. 165a—
Appointment of auditor in relation to exempt proprietary company.

4. Section 165a of the principal Act is amended by striking out from subsection (5) the passage “a person or persons or a firm” and inserting in lieu thereof the passage “one or more persons or firms”.

Amendment of principal Act, s. 165ab—
Exempt proprietary company need not appoint auditor in certain circumstances.

5. Section 165ab of the principal Act is amended—

(a) by striking out from subsection (6) the passage “a person or persons or a firm” and inserting in lieu thereof the passage “one or more persons or firms”;

and

(b) by striking out from subsection (7) the passage “a person or persons or a firm” and inserting in lieu thereof the passage “one or more persons or firms”.

Amendment of principal Act, s. 165b—
Obligation to appoint auditor where company incorporated prior to commencement of new Act.

6. Section 165b of the principal Act is amended by striking out from subsection (1) the passage “a person or persons or a firm” and inserting in lieu thereof the passage “one or more persons or firms”.

Amendment of principal Act, s. 166—
Appointment of auditors.

7. Section 166 of the principal Act is amended—

(a) by striking out from subsection (1) the passage “a person or persons or a firm” and inserting in lieu thereof the passage “one or more persons or firms”;

(b) by striking out from subsection (3) the passage “a person or persons or a firm” wherever it occurs in paragraphs (a) and (b) and inserting in lieu thereof in each case the passage “one or more persons or firms”;

(c) by striking out from subsection (5) the passage “a person or persons or a firm” and inserting in lieu thereof the passage “one or more persons or firms”;

(d) by striking out from subsection (10) the passage “a specified person or specified persons or specified firm” and inserting in lieu thereof the passage “or auditors one or more specified persons or firms”;

(e) by striking out from paragraph (a) of subsection (10) the passage “a person or persons or a firm” and inserting in lieu thereof the passage “or auditors one or more persons or firms”;

(f) by striking out from paragraph (b) of subsection (10) the passage “a person or persons or a firm” and inserting in lieu thereof the passage “one or more persons or firms”;

(g) by striking out from subsection (12) the passage "a person or persons or a firm" and inserting in lieu thereof the passage "one or more persons or firms";

and

(h) by striking out from subsection (13) the passage "a person or persons or a firm" and inserting in lieu thereof the passage "one or more persons or firms".

8. Section 383 of the principal Act is amended by striking out from subsection (2) the passage "Section 9, sections 37 to 43 (both inclusive), sections 45 to 49 (both inclusive)" and inserting in lieu thereof the passage "Sections 37 to 43 (both inclusive), sections 45 to 49 (both inclusive), section 165, sections 168 to 180 (both inclusive)".

Amendment of
principal Act,
s. 383—
Application of
this Act to
associations
societies and
other
corporations.

In the name and on behalf of Her Majesty, I hereby assent
to this Bill.

M. L. OLIPHANT, Governor