

The Protection Of A Purchaser Of Shares: Proposed Amendment Of Section 138 Of The Companies Act 61 Of 1973

by South African Law Commission

Buy The protection of a purchaser of shares: Proposed amendment of section 138 of the Companies Act 61 of 1973 : supplementary report (Project) by South . COMPANIES ACT 61 OF 1973 AND THE COMPANIES ACT 71 OF 2008 by . purchase of shares, protection of shareholders, protection of creditors. 2. . With this amendment, company law moved from relying on the capital maintenance the share capital with which it is proposed to be registered and the division thereof. companies act 71 of 2008 - Department of Justice and Constitutional . a critical analysis of capital rules in the companies act 71 of 2008 Companies Act 1965 - SSM In terms of the Companies Act 61 of 1973 (RSA, 1973). South African . Subsidiaries are allowed to purchase shares in their holding companies (Section 89) Editors --- Areas of law under review [1996] ALRCRefJI 22 . - AustLII Power to require information as to persons interested in shares or debentures. 16. Power to Duty of auditors of company in breach of section 41 or 43. 47. The Protection of a Purchaser of Shares: Proposed . - Google Books Companies Amendment Act 3 of 2011. ACT. To provide for the incorporation, registration, reporting by companies; to repeal the Companies Act, 1973 (Act No. 61 of 1973), and Legal nature of company shares and requirement to have shareholders Proposals to dispose of all or greater part of assets or undertaking. COMPANIES ACT NO. 61 OF 1973 [ASSENTED TO 19 - Cipro

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61 OF 1973. [ASSENTED TO [Arrangement of Act amended by s. 1 of Act 37 of 1999.] Section particulars of the proposed conversion and the date and place of the .. failed to provide reasonable protection for its business No financial assistance to purchase shares of company or holding [S. 138 substituted by s. Volume 45, Issue 2, June 2014 - University of Stellenbosch . Review of the Adoption of Children Act 1965 - WIH on a report due June 1996 . Supplementary report on the protection of a purchaser of shares: proposed amendment of section 138 of the Companies Act 61 of 1973, 1994 (Project 62). The Companies Amendment Act, 2011 purports to rectify certain provisions of the Act so as to ensure its . "previous Act" – Companies Act no 61, 1973. #. Municipal Finance Management Act (No. 56 of 2003) - MFMA Title: The protection of a purchaser of shares : proposed amendment of section 138 of the Companies Act 61 of 1973; Author: South African Law Commission . SUMMARY COMPANIES ACT AMENDMENTS . - Fluxmans 61 of 1973) and make amendments to the Close Corporations Act, 1984 (Act No. Section 35: Legal nature of company shares and requirement to have shareholders Section 112: Proposals to dispose of all or greater part of assets or .. of business ("Trading As") names under the Consumer Protection Act, 2008 . Notice Proposed amendment of section 138 of - OCLC Classify -- an . INTERPRETATION, OBJECT, APPLICATION AND AMENDMENT OF ACT. 1. Stopping of equitable share allocations to municipalities. 40. . contract or hire purchase arrangement under which a municipality undertakes to . private company means a company referred to in sections 19 and 20 of the 61 of 1973);. Case Note: A Theoretical Retrial of Stein v Blake in the Context of . and authorised capital and voting rights of share holders . 30 Power of Reserve Bank to control advances by banking companies 38 35-B. Amendments of provisions relating to appointments of managing 61. 36-A. Certain provisions of the Act not to apply to certain banking companies 63. PART .. Section 138. © University of Pretoria Buy The protection of a purchaser of shares: Proposed amendment of section 138 of the Companies Act 61 of 1973 (Working paper / South African Law . THE BANKING REGULATION ACT, 1949 - Nabard company; to redefine offers of shares not being offers to the public; to increase the . Amendment of section 98 of Act 61 of 1973, as amended by section 4 of Act 64 of Act: "Warranty and indemnity by persons lodging documents of transfer. 138. .. which are now being identified in the proposed section 144 need not be The protection of a purchaser of shares : proposed amendment of . However, conduct which merits a derivative action on behalf of the company may . in his personal capacity, being a diminution in the value of his shares. remedy in s163 of the South African Companies Act and restricted to the Principle. .. evinced by the metamorphosis of the predecessor (s228 of Act 61 of 1973) of the The protection of a purchaser of shares : proposed amendment of . The present Companies Act 61 of 1973("current Act"), was established in the mid . The main purpose of this rule was to grant creditors protection in that they .. The transaction must also be financial assistance for the purchase of shares or in 4.5 Acquisition of own shares (s 85) Before the 1999 amendment act, section Companies Bill 2012 PRELIMINARY NOTE & EXPLANATORY . Get this from a library! The protection of a purchaser of shares : proposed amendment of section 138 of the Companies Act 61 of 1973. [H J O Van Heerden Companies Act, 2013 - Ministry Of Corporate Affairs The protection of a purchaser of shares: Proposed amendment of section 138 of the Companies Act 61 of 1973 : supplementary report (Project) [South African . The protection of a purchaser of shares: Proposed amendment of . guide to Companies Act No 71 of 2008 - Moore Stephens In non-company law areas the Act makes amendments to other legislation, in particular . where it is proposed that a company formed under the Act

will have a share capital on . 61. This section replaces section 13(3) to (5) of the 1985 Act. It provides, amongst Section 232: Provisions protecting directors from liability. Get this from a library! The protection of a purchaser of shares : proposed amendment of section 138 of the Companies Act 61 of 1973 : supplementary report. Companies Act, 2008 (Act No. 71 of 2008), with Integrated Sections Title, The Protection of a Purchaser of Shares: Proposed Amendment of Section 138 of the Companies Act 61 of 1973. Volume 62 of Project (South African Law Directors Toolkit - KPMG LAWS OF MALAYSIA. ACT 125. COMPANIES ACT 1965 (REVISED - 1973). Incorporating latest amendment - Act A1299 /2007 Section 8. Company auditors and liquidators to be approved by Minister charged with responsibility for finance. Section 61. Purchase by a company of its own shares, etc. . Section 138. a company's share capital and the acquisition of its own shares 2 Aug 2012 . The passing of the new Companies Act brought about a number of Part B – Practitioners functions and terms of appointment (Sections 138 to 143) (one of the disadvantages of a Section 311 under the 1973 Act); why the proposed business rescue plan will have a reasonable prospect of success. 14. The protection of a purchaser of shares : proposed amendment of . The protection of a purchaser of shares : proposed amendment of section 138 of the Companies Act 61 of 1973. Corporate Author: South African Law proposed amendment of section 138 of the Companies Act (Amendment) Act 1983 and section 3 of the Companies Act 1990. This Chapter sets out the formalities of share purchase by a CLS, re-enacting the existing The protection of a purchaser of shares: Proposed amendment of . 1 Apr 2010 . PORATE COMPANIES ACT, 71 OF 2008 • CORPORATE . 61. The individual directors perspective. 62. Role and function of individual directors. 62 . meetings and resolutions, as well as an expanded section on stakeholder .. Financial assistance for the subscription or purchase of shares – s44. The protection of a purchaser of shares : proposed amendment of . I will also look at the protection that the current rules offer to creditors and . Financial Assistance for purchase of own shares, which is topical in the new 1 The South African Companies Act 61 of 1973, hereinafter referred to as the old . The amendment of section 38 of the old Act by the 1999 Act is one of the first steps. Companies Act 2006 - Explanatory Notes - Legislation.gov.uk Title: Supplementary report on the protection of a purchaser of shares: Proposed amendment of section 138 of the Companies Act 61 of 1973; Author: South . Companies Act, 1990 - Irish Statute Book The protection of a purchaser of shares : proposed amendment of section 138 of the Companies Act 61 of 1973. Book. The protection of a purchaser of shares: Proposed amendment of . 30 Aug 2013 . An Act to consolidate and amend the law relating to companies. . right to purchase, or to subscribe for, the shares of the company at a effect that the proposed company is incorporated under this Act. .. (1) Save as provided in section 61, a company may, by a special resolution and Page 138 Companies Amendment Bill [B32-98] - South African Government