



# Foreign Corporations Act 1991

## 1991 CHAPTER 44

An Act to make provision about the status in the United Kingdom of bodies incorporated or formerly incorporated under the laws of certain territories outside the United Kingdom. [25th July 1991]

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:—

### **1 Recognition of corporate status of certain foreign corporations**

(1) If at any time—

- (a) any question arises whether a body which purports to have or, as the case may be, which appears to have lost corporate status under the laws of a territory which is not at that time a recognised State should or should not be regarded as having legal personality as a body corporate under the law of any part of the United Kingdom, and
- (b) it appears that the laws of that territory are at that time applied by a settled court system in that territory,

that question and any other material question relating to the body shall be determined (and account shall be taken of those laws) as if that territory were a recognised State.

(2) For the purposes of subsection (1) above—

- (a) “a recognised State” is a territory which is recognised by Her Majesty's Government in the United Kingdom as a State;
- (b) the laws of a territory which is so recognised shall be taken to include the laws of any part of the territory which are acknowledged by the federal or other central government of the territory as a whole; and
- (c) a material question is a question (whether as to capacity, constitution or otherwise) which, in the case of a body corporate, falls to be determined by reference to the laws of the territory under which the body is incorporated.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Any registration or other thing done at a time before the coming into force of this section shall be regarded as valid if it would have been valid at that time, had subsections (1) and (2) above then been in force.

## **2 Citation, extent and commencement**

- (1) This Act may be cited as the Foreign Corporations Act 1991.
- (2) This Act extends to Northern Ireland.
- (3) This Act shall come into force at the end of the period of two months beginning with the day on which it is passed.