



# Companies (Consolidation) Act 1908

## CHAPTER 69

### COMPANIES (CONSOLIDATION) ACT 1908

#### PART I

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292 Saving for 28 & 29 Vict. c. 78. s. 3.  
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## SCHEDULES.

FIRST SCHEDULE —

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*Preliminary.*

- 1 In these regulations, unless the context otherwise requires, expressions defined...

*Business.*

- 2 The directors shall have regard to the restrictions on the...

*Shares.*

- 3 Subject to the provisions, if any, in that behalf of...  
4 If at any time the share capital is divided into...  
5 No share shall be offered to the public for subscription...  
6 Every person whose name is entered as a member in...  
7 If a share certificate is defaced, lost, or destroyed, it...  
8 No part of the funds of the company shall be...

*Lien.*

- 9 The company shall have a lien on every share (not...  
10 The company may sell, in such manner as the directors...  
11 The proceeds of the sale shall be applied in payment...

*Calls on Shares.*

- 12 The directors may from time to time make calls upon...  
13 The joint holders of a share shall be jointly and...  
14 If a sum called in respect of a share is...  
15 The provisions of these regulations as to payment of interest...  
16 The directors may make arrangements on the issue of shares...  
17 The directors may, if they think fit, receive from any...

*Transfer and Transmission of Shares.*

- 18 The instrument of transfer of any share in the company...  
19 Shares in the company shall be transferred in the following...  
20 The directors may decline to register any transfer of shares...  
21 The executors or administrators of a deceased sole holder of...  
22 Any person becoming entitled to a share in consequence of...  
23 A person becoming entitled to a share by reason of...

*Forfeiture of Shares.*

- 24 If a member fails to pay any call or instalment...  
25 The notice shall name a further day (not earlier than...  
26 If the requirements of any such notice as aforesaid are...  
27 A forfeited share may be sold or otherwise disposed of...  
28 A person whose shares have been forfeited shall cease to...  
29 A statutory declaration in writing that the declarant is a...  
30 The provisions of these regulations as to forfeiture shall apply...

*Conversion of Shares into Stock.*

- 31 The directors may, with the sanction of the company previously...  
32 The holders of stock may transfer the same, or any...  
33 The holders of stock shall, according to the amount of...

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34 Such of the regulations of the company (other than those...

*Share Warrants.*

- 35 The company may issue share warrants, and accordingly the-,  
directors...  
36 A share warrant shall entitle the bearer to the shares...  
37 The bearer of a share warrant shall, on surrender of...  
38 The bearer of a share warrant may at any time...  
39 Subject as herein otherwise expressly provided no person shall, as...  
40 The directors may from time to time make rules as...

*Alteration of Capital.*

- 41 The directors may, with the sanction of an extraordinary resolution...  
42 Subject to any direction to the contrary that may be...  
43 The new shares shall be subject to the same provisions...  
44 The company may, by special resolution— (a) Consolidate and divide...

*General Meetings.*

- 45 The statutory general meeting of the company shall be held...  
46 A general meeting shall be held once in every year...  
47 The above-mentioned general meetings shall be called ordinary  
meetings ;...  
48 The directors may, whenever they think fit, convene an extraordinary...

*Proceedings at General Meeting.*

- 49 Seven days notice at the least (exclusive of the day...  
50 All business shall be deemed special that is transacted at...  
51 No business shall be transacted at any general meeting unless...  
52 If within half an hour from the time appointed for...  
53 The chairman, if any, of the board of directors shall...  
54 If there is no such chairman, or if at any...  
55 The chairman may, with the consent of any meeting at...  
56 At any general meeting a resolution put to the vote...  
57 If a poll is duly demanded it shall be taken...  
58 In the case of an equality of votes, whether on...  
59 A poll demanded on the election of a chairman, or...

*Votes of Members.*

- 60 On a show of hands every member present in person...  
61 In the case of joint holders the vote of the...  
62 A member of unsound mind, or in respect of whom...  
63 No member shall be entitled to vote at any general...  
64 On a poll votes may be given either personally or...  
65 The instrument appointing a proxy shall be in writing under...  
66 The instrument appointing a proxy and the power of attorney...  
67 An instrument appointing a proxy may be in the following...

*Directors.*

- 68 The number of the directors and the names of the...  
69 The remuneration of the directors shall from time to time...

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70 The qualification of a director shall be the holding of...

*Powers and Duties of Directors.*

71 The business of the company shall be managed by the...  
72 The directors may from time to time appoint one or...  
73 The amount for the time being remaining undischarged of moneys...  
74 The directors shall duly comply with the provisions of the...  
75 The directors shall cause minutes to be made in books...

*The Seal.*

76 The seal of the company shall not be affixed to...

*Disqualifications of Directors.*

77 The office of director shall be vacated, if the director—...

*Rotation of Directors.*

78 At the first ordinary meeting of the company the whole...  
79 The directors to retire in every year shall be those...  
80 A retiring director shall be eligible for re-election.  
81 The company at the general meeting at which a director...  
82 If at any meeting at which an election of directors...  
83 The company may from time to time in general meeting...  
84 Any casual vacancy occurring in the board of directors may...  
85 The directors shall have power at any time, and from...  
86 The company may by extraordinary resolution remove any director before...

*Proceedings of Directors.*

87 The directors may meet together for the despatch of business,...  
88 The quorum necessary for the transaction of the business of...  
89 The continuing directors may act notwithstanding any vacancy in their...  
90 The directors may elect a chairman of their meetings and...  
91 The directors may delegate any of their powers to committees-  
consisting...  
92 A committee may elect a chairman of their meetings if...  
93 A committee may meet and adjourn as they think proper...  
94 All acts done by any meeting of the directors or...

*Dividends and Reserve.*

95 The company in general meeting may declare dividends, but no...  
96 The directors may from time to time pay to the...  
97 No dividend shall be paid otherwise than out of profits...  
98 Subject to the rights of persons, if any, entitled to...  
99 The directors may, before recommending any dividend, set aside out...  
100 If several persons are registered as joint holders of any...  
101 Notice of any dividend that may have been declared shall...  
102 No dividend shall bear interest against the company.

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*Accounts.*

- 103 The directors shall cause true accounts to be kept— Of...  
 104 The books of account shall be kept at the registered...  
 105 The directors shall from time to time determine whether and...  
 106 Once at least in every year the directors shall lay...  
 107 A balance sheet shall be made out in every year...  
 108 A copy of the balance sheet and report shall, seven...

*Audit.*

- 109 Auditors shall be appointed and their duties regulated in accordance...

*Notices.*

- 110 A notice may be given by the company to any...  
 111 If a member has no registered address in the United...  
 112 A notice may be given by the company to the...  
 113 A notice may be given by the company to the...  
 114 Notice of every general meeting shall be given in some...

TABLE B — TABLE OF FEES TO BE PAID TO THE REGISTRAR OF COMPANIES.

I.—By a company having a share capital.

II.—By a company not having a share capital.

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 SCHEDULE

THIRD SCHEDULE —

FOURTH SCHEDULE —

PART I — ORDERS PRONOUNCED IN VACATION IN SCOTLAND WHICH ARE  
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PART II — ORDERS PRONOUNCED IN VACATION IN SCOTLAND WHICH ARE  
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SIXTH SCHEDULE —

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PART II

*AN ACT TO REGULATE JOINT STOCK BANKS IN ENGLAND (7 & 8 VICT. C. 113), S. 47.*

Existing companies to have the powers of suing and being sued.

*THE JOINT STOCK BANKING COMPANIES ACT, 1857, PART OF S. 12.*

Power to form banking partnerships of ten persons.