

## New Zealand.



### ANALYSIS.

Title.  
1. Short Title.

2. Extending powers of dairy companies to engage in associated industries. Consequential repeals.
3. Reorganization of share capital.

1920, No. 34.

Title.

AN ACT to amend the Companies Act, 1908.

[28th October, 1920.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Companies Amendment Act, 1920, and shall be read together with and deemed part of the Companies Act, 1908 (hereinafter referred to as the principal Act).

Extending powers of dairy companies to engage in associated industries.

2. (1.) Notwithstanding anything to the contrary in the principal Act, or in the memorandum or articles of association of any company having for its object or for one of its objects the manufacture of butter or of cheese, it shall be lawful for such company, without complying with the provisions of the principal Act relating to the alteration of the memorandum or articles of association of companies, to do all or any of the following things, that is to say:—

(a.) To carry on the business of the manufacture of rennet, casein, or sugar of milk; or of butter-boxes or cheese-crates; or of any other article or product connected with or required for the dairying industry:

(b.) To acquire shares in, or to guarantee the obligations of, or otherwise to assist or promote, any other company formed or proposed to be formed under the principal Act having for its object or for one of its objects—

(i.) The manufacture of any article or product as aforesaid; or

(ii.) The exporting, marketing, and disposal of any primary products; or

(iii.) The erection and building of cool stores and freezing-works; or

(iv.) The purchase of any machinery and plant in connection with any cool stores or freezing-works; or

(v.) The carrying-on of the business of cool storage and refrigerating.

(2.) All contracts heretofore entered into by any company for any of the purposes aforesaid shall be as valid and binding for all purposes as if this Act had been in operation when those contracts were so entered into.

(3.) This section is in substitution for section nineteen of the War Legislation Amendment Act, 1916, and section twenty of the Statute Law Amendment Act, 1917, and those sections are hereby repealed accordingly. Consequential repeals.

3. (1.) Section thirty-eight of the principal Act is hereby amended by adding the following as subsection two thereof:— Reorganization of share capital.

“(2.) A company limited by shares may, by special resolution, modify the conditions contained in its memorandum so as to reorganize its share capital, whether by the consolidation of shares of different classes or by the division of its shares into shares of different classes:

“Provided that no preference or special privilege attached to or belonging to any class of shares shall be interfered with except by a resolution passed by a majority in number of shareholders of that class holding three-fourths of the share capital of that class and confirmed at a meeting of shareholders of that class in the same manner as a special resolution of the company is required to be confirmed, and every resolution so passed shall bind all shareholders of the class.”

(2.) This section shall be deemed to have been in force on and after the commencement of the principal Act.