Reprint
as at 5 December 2013

Company Law Reform (Transitional Provisions) Act 1994

Public Act	1994 No 16
Date of assent	27 June 1994
Commencement	see section 1(2)

Company Law Reform (Transitional Provisions) Act 1994: repealed, on 5 December 2013, by section 13(c) of the Companies Amendment Act 2013 (2013 No 111).

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Note
Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Ministry of Economic Development.

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An Act to amend various Acts and regulations consequent upon the enactment of the Companies Act 1993 and certain other Acts

1 Short Title and commencement

(1) This Act may be cited as the Company Law Reform (Transitional Provisions) Act 1994.

(2) This Act shall come into force on 1 July 1994.

2 Amendments to other Acts consequent upon enactment of Companies Act 1993 and certain other Acts

The enactments specified in Schedule 1 are hereby amended in the manner indicated in that schedule.

3 Amendments to regulations consequent upon enactment of Companies Act 1993 and certain other Acts

The regulations specified in Schedule 2 are hereby amended in the manner indicated in that schedule.

4 Transitional provision relating to prospectuses under Securities Act 1978

The Securities Regulations 1983, as in force immediately before the commencement of this Act, shall, notwithstanding section 3 of this Act, continue to apply in relation to—

(a) any prospectus registered or delivered for registration under the Securities Act 1978 before the commencement of this Act:

(b) any prospectus registered or delivered for registration under the Securities Act 1978 after the commencement of this Act to the extent that it contains financial statements or other financial information that relates to an

accounting period that ended before the commencement of this Act.

5 Transitional provisions

(1) A reference in any enactment to a company incorporated under the Companies Act 1955 or to which that Act applies shall, unless the context otherwise requires, be read as including a company registered under the Companies Act 1993 or to which that Act applies.

(2) A reference in any enactment to a provision of the Companies Act 1955 shall, unless the context otherwise requires, be read and construed as a reference to the corresponding provision of the Companies Act 1993 or the Financial Reporting Act 1993 or the Receiverships Act 1993, as the case may be.

6 Regulations

(1) Subject to subsection (2), the Governor-General may from time to time, by Order in Council, make regulations prescribing transitional and savings provisions relating to the coming into force of the Companies Act 1993 or the Companies Amendment Act 1993 or the Financial Reporting Act 1993 or the Receiverships Act 1993, as the case may be, and without limiting the generality of the foregoing, any such regulations may provide that, subject to such conditions as are specified in the regulations,—

(a) specified provisions of any of those Acts or any regulations amended by this Act shall not apply in the circumstances specified in the regulations; or

(b) specified provisions of any of those Acts or any regulations amended by this Act shall apply with such modifications as may be set out in the regulations in the circumstances specified in the regulations; or

(c) specified provisions of any enactments repealed by any of those Acts or any regulations revoked by this Act shall continue to apply—

during a specified transitional period.

(2) Any regulations under subsection (1) must be made before the close of 30 June 1997, and any regulations so made shall expire on a date specified in the regulations, being a date that is not

later than 2 years after the date on which the regulations are made.

Schedule 1

s 2

Enactments amended consequent upon enactment of Companies Act 1993 and certain other Acts

Airport Authorities Act 1966 (1966 No 51) (RS Vol 17, p 1)
Amendment(s) incorporated in the Act(s).

Auckland Airport Act 1987 (1987 No 195)
Amendment(s) incorporated in the Act(s).

Berryfruit Levy Act 1967 (1967 No 47) (RS Vol 18, p 11)
Amendment(s) incorporated in the Act(s).

Broadcasting Act 1989 (1989 No 25)
Amendment(s) incorporated in the Act(s).

Building Societies Act 1965 (1965 No 22) (RS Vol 17, p 41)
Amendment(s) incorporated in the Act(s).

Chattels Transfer Act 1924 (1924 No 49) (RS Vol 15, p 33)
Amendment(s) incorporated in the Act(s).

Citizens Initiated Referenda Act 1993 (1993 No 101)
Amendment(s) incorporated in the Act(s).

Commerce Act 1986 (1986 No 5)
Amendment(s) incorporated in the Act(s).

Consumer Guarantees Act 1993 (1993 No 91)
Amendment(s) incorporated in the Act(s).

Corporations (Investigation and Management) Act 1989 (1989 No 11)
Amendment(s) incorporated in the Act(s).

Counties Insurance Empowering Act 1941 (1941 No 6) (RS Vol 1, p 631)
Amendment(s) incorporated in the Act(s).

Credit Contracts Act 1981 (1981 No 27)
Amendment(s) incorporated in the Act(s).

Crown Research Institutes Act 1992 (1992 No 47)
Amendment(s) incorporated in the Act(s).

Customs Act 1966 (1966 No 19) (RS Vol 2, p 57)
Amendment(s) incorporated in the Act(s).

Dairy Board Act 1961 (1961 No 5) (RS Vol 26, p 63)
Amendment(s) incorporated in the Act(s).

Dairy Industry Act 1952 (1952 No 55) (RS Vol 26, p 113)
Amendment(s) incorporated in the Act(s).

Door to Door Sales Act 1967 (1967 No 126) (RS Vol 14, p 37)
Amendment(s) incorporated in the Act(s).

Education Act 1989 (1989 No 80)
Amendment(s) incorporated in the Act(s).

Electoral Act 1993 (1993 No 87)
Amendment(s) incorporated in the Act(s).

Energy Companies Act 1992 (1992 No 56)
Amendment(s) incorporated in the Act(s).

Fair Trading Act 1986 (1986 No 121)
Amendment(s) incorporated in the Act(s).

Flags, Emblems, and Names Protection Act 1981 (1981 No 47)
Amendment(s) incorporated in the Act(s).

Friendly Societies and Credit Unions Act 1982 (1982 No 118)
Amendment(s) incorporated in the Act(s).

Government Superannuation Fund Act 1956 (1956 No 47) (RS Vol 21, p 209)
Amendment(s) incorporated in the Act(s).

Health and Disability Services Act 1993 (1993 No 22)
Amendment(s) incorporated in the Act(s).

Hire Purchase Act 1971 (1971 No 147) (RS Vol 23, p 509)
Amendment(s) incorporated in the Act(s).

Hospitals Act 1957 (1957 No 40) (RS Vol 19, p 665)
Amendment(s) incorporated in the Act(s).

Incorporated Societies Act 1908 (1908 No 212) (RS Vol 7, p 383)
Amendment(s) incorporated in the Act(s).

Industrial and Provident Societies Act 1908 (1908 No 81) (RS Vol 7, p 407)
Amendment(s) incorporated in the Act(s).

Industrial and Provident Societies Amendment Act 1919 (1919 No 41) (RS Vol 7, p 439)
Amendment(s) incorporated in the Act(s).

Insolvency Act 1967 (1967 No 54) (RS Vol 18, p 289)
Amendment(s) incorporated in the Act(s).

Insurance Companies' Deposits Act 1953 (1953 No 50) (RS Vol 7, p 475)
Amendment(s) incorporated in the Act(s).

Judicature Act 1908 (1908 No 89) (RS Vol 22, p 107)
Amendment(s) incorporated in the Act(s).

Land Act 1948 (1948 No 64) (RS Vol 23, p 559)
Amendment(s) incorporated in the Act(s).

Law Practitioners Act 1982 (1982 No 123)
Amendment(s) incorporated in the Act(s).

Layby Sales Act 1971 (1971 No 80) (RS Vol 11, p 306)
Amendment(s) incorporated in the Act(s).

Life Insurance Act 1908 (1908 No 105) (RS Vol 6, p 773)
Amendment(s) incorporated in the Act(s).

Local Government Act 1974 (1974 No 66) (RS Vol 25, p 1)
Amendment(s) incorporated in the Act(s).

Maori Fisheries Act 1989 (1989 No 159) (RS Vol 27, p 677)
Amendment(s) incorporated in the Act(s).

Marine Pollution Act 1974 (1974 No 14) (RS Vol 24, p 499)
Amendment(s) incorporated in the Act(s).

Meat Export Control Act 1921–22 (1921–22 No 73) (RS Vol 26, p 537)
Amendment(s) incorporated in the Act(s).

Motor Vehicle Dealers Act 1975 (1975 No 127) (RS Vol 5, p 749)
Amendment(s) incorporated in the Act(s).

Motor Vehicle Securities Act 1989 (1989 No 14)
Amendment(s) incorporated in the Act(s).

Mutual Insurance Act 1955 (1955 No 23) (RS Vol 10, p 247)
Amendment(s) incorporated in the Act(s).

New Zealand Railways Corporation Restructuring Act 1990 (1990 No 105)
Amendment(s) incorporated in the Act(s).

New Zealand Trade Development Board Act 1988 (1988 No 160)
Amendment(s) incorporated in the Act(s).

Official Information Act 1982 (1982 No 156) (RS Vol 21, p 579)
Amendment(s) incorporated in the Act(s).

Ombudsmen Act 1975 (1975 No 9) (RS Vol 21, p 657)
Amendment(s) incorporated in the Act(s).

Optometrists and Dispensing Opticians Act 1976 (1976 No 61) (RS Vol 27, p 711)
Amendment(s) incorporated in the Act(s).

Overseas Investment Act 1973 (1973 No 14) (RS Vol 24, p 617)
Amendment(s) incorporated in the Act(s).

Parental Leave and Employment Protection Act 1987 (1987 No 129) (RS Vol 27, p 753)
Amendment(s) incorporated in the Act(s).

Partnership Act 1908 (1908 No 139) (RS Vol 10, p 541)
Amendment(s) incorporated in the Act(s).

Pharmacy Act 1970 (1970 No 143) (RS Vol 21, p 691)
Amendment(s) incorporated in the Act(s).

Port Companies Act 1988 (1988 No 91)
Amendment(s) incorporated in the Act(s).

Property Law Act 1952 (1952 No 51) (RS Vol 22, p 773)
Amendment(s) incorporated in the Act(s).

Protection of Personal and Property Rights Act 1988 (1988 No 4)
Amendment(s) incorporated in the Act(s).

Public Finance Act 1977 (1977 No 65)
Amendment(s) incorporated in the Act(s).

Public Trust Office Act 1957 (1957 No 36)
Amendment(s) incorporated in the Act(s).

Public Works Act 1981 (1981 No 35)
Amendment(s) incorporated in the Act(s).

Radiocommunications Act 1989 (1989 No 148)
Amendment(s) incorporated in the Act(s).

Real Estate Agents Act 1976 (1976 No 9)
Amendment(s) incorporated in the Act(s).

Reserve Bank of New Zealand Act 1989 (1989 No 157)
Amendment(s) incorporated in the Act(s).

Rural Intermediate Credit Act 1927 (1927 No 45) (RS Vol 11, p 261)
Amendment(s) incorporated in the Act(s).

Rural Intermediate Credit Amendment Act 1946 (1946 No 5) (RS Vol 11, p 275)
Amendment(s) incorporated in the Act(s).

Sale of Liquor Act 1989 (1989 No 63)
Amendment(s) incorporated in the Act(s).

Securities Act 1978 (1978 No 103) (RS Vol 15, p 533)
Amendment(s) incorporated in the Act(s).

Securities Amendment Act 1988 (1988 No 234)
Amendment(s) incorporated in the Act(s).

Securities Transfer Act 1991 (1991 No 119)
Amendment(s) incorporated in the Act(s).

Smoke-free Environments Act 1990 (1990 No 108)
Amendment(s) incorporated in the Act(s).

Southland Electricity Act 1993 (1993 No 147)
Amendment(s) incorporated in the Act(s).

State-Owned Enterprises Act 1986 (1986 No 124)
Amendment(s) incorporated in the Act(s).

Statutes Amendment Act 1939 (1939 No 39) (RS Vol 7, p 442)
Amendment(s) incorporated in the Act(s).

Telecommunications Act 1987 (1987 No 116)
Amendment(s) incorporated in the Act(s).

Trade Unions Act 1908 (1908 No 196) (RS Vol 11, p 621)
Amendment(s) incorporated in the Act(s).

Trustee Companies Management Act 1975 (1975 No 25) (RS Vol 26, p 827)
Amendment(s) incorporated in the Act(s).

Unit Trusts Act 1960 (1960 No 99) (RS Vol 10, p 953)
Amendment(s) incorporated in the Act(s).

Volunteers Employment Protection Act 1973 (1973 No 25) (RS Vol 21, p 897)
Amendment(s) incorporated in the Act(s).

Waterfront Industry Restructuring Act 1989 (1989 No 66)
Amendment(s) incorporated in the Act(s).

Wheat Industry Research Levies Act 1989 (1989 No 64)

Amendment(s) incorporated in the Act(s).

Schedule 2

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Regulations amended consequent upon enactment of Companies Act 1993 and certain other Acts

Land Transfer Regulations 1966 (SR 1966/25)

Amendment(s) incorporated in the regulations.

Securities Act (Contributory Mortgage) Regulations 1988 (SR 1988/143)

Amendment(s) incorporated in the regulations.

Securities Regulations 1983 (SR 1983/121)

Amendment(s) incorporated in the regulations.

Securities (Substantial Security Holders) Regulations 1989 (SR 1989/162)

Amendment(s) incorporated in the regulations.

Reprints notes

1 General

This is a reprint of the Company Law Reform (Transitional Provisions) Act 1994 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 Legal status

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, will have the status of an official version once issued by the Chief Parliamentary Counsel under section 17(1) of that Act.

3 Editorial and format changes

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also http://www.pco.parliament.govt.nz/editorial-conventions/.

4 Amendments incorporated in this reprint

Companies Amendment Act 2013 (2013 No 111): section 13(c)

Lawyers and Conveyancers Act 2006 (2006 No 1): section 349

Maori Fisheries Act 2004 (2004 No 78): section 214

Sale of Liquor Amendment Act 2004 (2004 No 21): section 7(2)

Health Practitioners Competence Assurance Act 2003 (2003 No 48): section 175(4)

Local Government Act 2002 (2002 No 84): section 266

Health and Disability Services (Safety) Act 2001 (2001 No 93): section 59(1)

Dairy Industry Restructuring Act 2001 (2001 No 51): section 165(4)

New Zealand Public Health and Disability Act 2000 (2000 No 91): section 111(1)

Personal Property Securities Act 1999 (1999 No 126): section 192(1)

Sale of Liquor Amendment Act 1999 (1999 No 92): section 118

Local Government Amendment Act 1998 (1998 No 89): section 6(1)(d)

Securities Amendment Act 1996 (1996 No 100): section 25(b)

Dairy Board Amendment Act (No 2) 1996 (1996 No 85): section 16(2)

Overseas Investment Amendment Act 1995 (1995 No 50): section 2(6)(b)

Customs Amendment Act 1995 (1995 No 7): section 2(3)

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