

A BILL

entitled

COMPANIES AMENDMENT ACT 2011

WHEREAS it is expedient to amend section 120 of the Companies Act 1981;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act may be cited as the Companies Amendment Act 2011.

Amends s.120 of Companies Act 1981

2 In section 120 of the Companies Act 1981 (acquisition of land by local companies)—

- (a) in subsection (1), delete "Without prejudice to subsection (4),";
- (b) at the beginning of subsection (4), insert "Notwithstanding subsection (1),";
and
- (c) at the beginning of subsection (4)(a), insert "without requiring the consent of the Minister,".

COMPANIES AMENDMENT BILL 2011

EXPLANATORY MEMORANDUM

This Bill seeks to clarify the relationship between subsections (1) and (4) of section 120 of the Companies Act 1981 (acquisition of land by local companies). In particular, the amendment to subsection (1) removes a doubt as to the ability of a local company to take a lease in excess of 50 years with the prior sanction of the Minister; and the amendment to subsection (4)(a) spells out that the Minister's consent is not required in the case of a lease not exceeding 50 years.

Clause 1 is self-explanatory.

Clause 2 makes the necessary amendments to subsections (1) and (4) of section 120.