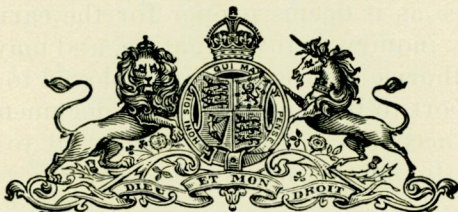


New South Wales.



ANNO VICESIMO QUINTO

GEORGII V REGIS.

\*\*\*\*\*

Act No. 8, 1934.

An Act to make further provisions relating to Royal Commissions; to amend the Royal Commissions Act, 1923, and certain other Acts; and for purposes connected therewith. [Assented to, 8th August, 1934.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** (1) This Act may be cited as the "Royal Commissions (Amendment) Act, 1934." Short title.



---

*Royal Commissions (Amendment).*


---

(2) The Royal Commissions Act, 1923, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Royal Commissions Act, 1923-1934.

**2.** The Principal Act is amended—

Amendment of  
Act No. 29,  
1923.

Sec. 12.

(Inspection of  
documents.)

(a) by inserting at the end of section twelve the following new subsection:—

(2) The Commission may employ such assistance as it deems proper for the carrying out of any inquiry or investigation, and may by writing authorise any person so employed to inspect and report to it upon any books, documents, writings or accounts it considers relevant to the subject matter of the inquiry.

New s. 23A.

(b) by inserting next after section twenty-three the following new section:—

Delaying  
and  
obstructing  
commission.

23A. (1) Any person who, with intent to delay or obstruct the carrying out by a commission appointed under this Act of any inquiry, destroys or alters any book, document, or record relating to the subject matter of the inquiry, or sends or attempts to send, or conspires with any other person to send out of New South Wales any such book, document or record, or any property of any description belonging to or in the disposition of or under the control of any person or company whose affairs are the subject matter of the inquiry, shall be guilty of an indictable offence, and shall be liable to be imprisoned for a period not exceeding five years.

(2) If in any prosecution for an offence against this section it is proved that the person charged with the offence has destroyed or altered any book, document, or record, or has sent or attempted to send, or conspired to send out of New South Wales any such book, document, or record, or any other thing, the onus of proving that in so doing he had not acted in contravention of this section shall be upon him.



---

*Royal Commissions (Amendment).*


---

## 3. The Companies Act, 1899, is amended—

Amendment of  
Act No. 40,  
1899.

- (a) by inserting in section eighty-nine next after subsection one the following new subsection:—
- (1A) When an inquiry into the affairs of a company has been made by a Royal Commission appointed under the Royal Commissions Act, 1923-1934, and the Royal Commission recommends that steps should be taken to have the company wound up, a petition in that behalf may be presented by the Attorney-General.

Sec. 89.  
(Applica-  
tion for  
winding up.)

- (b) by inserting next after section two hundred and fifty-seven the following new section:—

New sec.  
257A.

257A. (1) Where (in the case of a company formed or incorporated outside New South Wales and carrying on business in New South Wales) on any petition presented by the Attorney-General pursuant to subsection (1A) of section eighty-nine, an order is made for the affairs of the company so far as New South Wales assets are concerned, to be wound up in New South Wales, such company shall not carry on business or establish or keep a place of business within New South Wales.

Prohibition  
against  
company  
carrying on  
business in  
certain  
cases.

(2) Every company which fails to comply with the provisions of subsection one of this section and every officer or agent of the company concerned in the contravention of that subsection, shall be liable to a penalty not exceeding five hundred pounds, and in the case of a continuing offence, to a penalty not exceeding one hundred pounds for every day during which the default continues.

---

 By Authority:

ALFRED JAMES KENT, I.S.O., Government Printer, Sydney—1934.

How Commission (Continued)

3. The following Act 1931 is amended—

(a) by inserting in section 17 the following new subsection—

(17) When an order is made under the provisions of section 16, the Commission may, if it thinks fit, order that the order should be subject to such conditions as it may think fit, and may also order that the order should be subject to such conditions as it may think fit.

(b) by inserting after section 17 the following new section—

18. (1) Where in the case of a company, the Commission is satisfied that the company is unable to pay its debts, it may, if it thinks fit, order that the company should be subject to such conditions as it may think fit, and may also order that the order should be subject to such conditions as it may think fit.

(2) Where in the case of a company, the Commission is satisfied that the company is unable to pay its debts, it may, if it thinks fit, order that the company should be subject to such conditions as it may think fit, and may also order that the order should be subject to such conditions as it may think fit.

(3) Where in the case of a company, the Commission is satisfied that the company is unable to pay its debts, it may, if it thinks fit, order that the company should be subject to such conditions as it may think fit, and may also order that the order should be subject to such conditions as it may think fit.

(4) Where in the case of a company, the Commission is satisfied that the company is unable to pay its debts, it may, if it thinks fit, order that the company should be subject to such conditions as it may think fit, and may also order that the order should be subject to such conditions as it may think fit.

(5) Where in the case of a company, the Commission is satisfied that the company is unable to pay its debts, it may, if it thinks fit, order that the company should be subject to such conditions as it may think fit, and may also order that the order should be subject to such conditions as it may think fit.

(6) Where in the case of a company, the Commission is satisfied that the company is unable to pay its debts, it may, if it thinks fit, order that the company should be subject to such conditions as it may think fit, and may also order that the order should be subject to such conditions as it may think fit.

(7) Where in the case of a company, the Commission is satisfied that the company is unable to pay its debts, it may, if it thinks fit, order that the company should be subject to such conditions as it may think fit, and may also order that the order should be subject to such conditions as it may think fit.

(8) Where in the case of a company, the Commission is satisfied that the company is unable to pay its debts, it may, if it thinks fit, order that the company should be subject to such conditions as it may think fit, and may also order that the order should be subject to such conditions as it may think fit.

(9) Where in the case of a company, the Commission is satisfied that the company is unable to pay its debts, it may, if it thinks fit, order that the company should be subject to such conditions as it may think fit, and may also order that the order should be subject to such conditions as it may think fit.

(10) Where in the case of a company, the Commission is satisfied that the company is unable to pay its debts, it may, if it thinks fit, order that the company should be subject to such conditions as it may think fit, and may also order that the order should be subject to such conditions as it may think fit.



*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
Legislative Assembly Chamber,  
Sydney, 8 August, 1934.

## New South Wales.



ANNO VICESIMO QUINTO

# GEORGII V REGIS.

\*\*\*\*\*

Act No. 8, 1934.

An Act to make further provisions relating to Royal Commissions; to amend the Royal Commissions Act, 1923, and certain other Acts; and for purposes connected therewith. [Assented to, 8th August, 1934.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Royal Commissions (Amendment) Act, 1934." Short title.

(2)

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

W. W. HEDGES,  
*Chairman of Committees of the Legislative Assembly.*



---

*Royal Commissions (Amendment).*

---

(2) The Royal Commissions Act, 1923, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Royal Commissions Act, 1923-1934.

**2.** The Principal Act is amended—

Amendment of  
Act No. 29,  
1923.

Sec. 12.

(Inspection of  
documents.)

(a) by inserting at the end of section twelve the following new subsection:—

(2) The Commission may employ such assistance as it deems proper for the carrying out of any inquiry or investigation, and may by writing authorise any person so employed to inspect and report to it upon any books, documents, writings or accounts it considers relevant to the subject matter of the inquiry.

New s. 23A.

(b) by inserting next after section twenty-three the following new section:—

Delaying  
and  
obstructing  
commission.

23A. (1) Any person who, with intent to delay or obstruct the carrying out by a commission appointed under this Act of any inquiry, destroys or alters any book, document, or record relating to the subject matter of the inquiry, or sends or attempts to send, or conspires with any other person to send out of New South Wales any such book, document or record, or any property of any description belonging to or in the disposition of or under the control of any person or company whose affairs are the subject matter of the inquiry, shall be guilty of an indictable offence, and shall be liable to be imprisoned for a period not exceeding five years.

(2) If in any prosecution for an offence against this section it is proved that the person charged with the offence has destroyed or altered any book, document, or record, or has sent or attempted to send, or conspired to send out of New South Wales any such book, document, or record, or any other thing, the onus of proving that in so doing he had not acted in contravention of this section shall be upon him.

**3.**



---

*Royal Commissions (Amendment).*


---

**3. The Companies Act, 1899, is amended—**Amendment of  
Act No. 40,  
1899.

- (a) by inserting in section eighty-nine next after subsection one the following new subsection:—  
(1A) When an inquiry into the affairs of a company has been made by a Royal Commission appointed under the Royal Commissions Act, 1923-1934, and the Royal Commission recommends that steps should be taken to have the company wound up, a petition in that behalf may be presented by the Attorney-General.

Sec. 89.  
(Applica-  
tion for  
winding up.)

- (b) by inserting next after section two hundred and fifty-seven the following new section:—

New sec.  
257A.

257A. (1) Where (in the case of a company formed or incorporated outside New South Wales and carrying on business in New South Wales) on any petition presented by the Attorney-General pursuant to subsection (1A) of section eighty-nine, an order is made for the affairs of the company so far as New South Wales assets are concerned, to be wound up in New South Wales, such company shall not carry on business or establish or keep a place of business within New South Wales.

Prohibition  
against  
company  
carrying on  
business in  
certain  
cases.

(2) Every company which fails to comply with the provisions of subsection one of this section and every officer or agent of the company concerned in the contravention of that subsection, shall be liable to a penalty not exceeding five hundred pounds, and in the case of a continuing offence, to a penalty not exceeding one hundred pounds for every day during which the default continues.

*In the name and on behalf of His Majesty I assent to this Act.*

P. W. STREET,  
*Lieutenant-Governor.*

*Government House,  
Sydney, 8th August, 1934.*



Section 3. The Commission shall have the honor and duty to...

(a) In the event that the Commission shall find that the... (b) In the event that the Commission shall find that the... (c) In the event that the Commission shall find that the... (d) In the event that the Commission shall find that the... (e) In the event that the Commission shall find that the... (f) In the event that the Commission shall find that the... (g) In the event that the Commission shall find that the... (h) In the event that the Commission shall find that the... (i) In the event that the Commission shall find that the... (j) In the event that the Commission shall find that the... (k) In the event that the Commission shall find that the... (l) In the event that the Commission shall find that the... (m) In the event that the Commission shall find that the... (n) In the event that the Commission shall find that the... (o) In the event that the Commission shall find that the... (p) In the event that the Commission shall find that the... (q) In the event that the Commission shall find that the... (r) In the event that the Commission shall find that the... (s) In the event that the Commission shall find that the... (t) In the event that the Commission shall find that the... (u) In the event that the Commission shall find that the... (v) In the event that the Commission shall find that the... (w) In the event that the Commission shall find that the... (x) In the event that the Commission shall find that the... (y) In the event that the Commission shall find that the... (z) In the event that the Commission shall find that the...

In the name and on behalf of His Majesty I assent  
to this Act  
T. W. STREET  
Governor-General  
Government House  
Wellington, New Zealand



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 8 August, 1934.*

## New South Wales.



ANNO VICESIMO QUINTO

## GEORGII V REGIS.

\*\*\*\*\*

Act No. , 1934.

An Act to make further provisions relating to Royal Commissions; to amend the Royal Commissions Act, 1923, and certain other Acts; and for purposes connected therewith.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South  
5 Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Royal Commis- Short title.  
sions (Amendment) Act, 1934."

41311 111—

(2)



*Royal Commissions (Amendment).*

(2) The Royal Commissions Act, 1923, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Royal Commissions Act, 1923-1934.

5 2. The Principal Act is amended—

Amendment of Act No. 29, 1923.

(a) by inserting at the end of section twelve the following new subsection:—

Sec. 12. (Inspection of documents.)

10 (2) The Commission may employ such assistance as it deems proper for the carrying out of any inquiry or investigation, and may by writing authorise any person so employed to inspect and report to it upon any books, documents, writings or accounts it considers relevant to the subject matter of the inquiry.

15 (b) by inserting next after section twenty-three the following new section:—

New s. 23A.

20 23A. (1) Any person who, with intent to delay or obstruct the carrying out by a commission appointed under this Act of any inquiry, destroys or alters any book, document, or record relating to the subject matter of the inquiry, or sends or attempts to send, or conspires with any other person to send out of New South Wales any such book, document or record, or any property of any description belonging to or in the disposition of or under the control of any person or company whose affairs are the subject matter of the inquiry, shall be guilty of an indictable offence, and shall be liable to be imprisoned for a period not exceeding five years.

Delaying and obstructing commission.

25 (2) If in any prosecution for an offence against this section it is proved that the person charged with the offence has destroyed or altered any book, document, or record, or has sent or attempted to send, or conspired to send out of New South Wales any such book, document, or record, or any other thing, the onus of proving that in so doing he had not acted in contravention of this section shall be upon him.



*Royal Commissions (Amendment).***3.** The Companies Act, 1899, is amended—Amendment of  
Act No. 40,  
1899.

- (a) by inserting in section eighty-nine next after subsection one the following new subsection:—

Sec. 89.

(Applica-  
tion for  
winding up.)

5

(1A) When an inquiry into the affairs of a company has been made by a Royal Commission appointed under the Royal Commissions Act, 1923-1934, and the Royal Commission recommends that steps should be taken to have the company wound up, a petition in that behalf may be presented by the Attorney-General.

10

- (b) by inserting next after section two hundred and fifty-seven the following new section:—

New sec.  
257A.

15

257A. (1) Where (in the case of a company formed or incorporated outside New South Wales and carrying on business in New South Wales) on any petition presented by the Attorney-General pursuant to subsection (1A) of section eighty-nine, an order is made for the affairs of the company so far as New South Wales assets are concerned, to be wound up in New South Wales, such company shall not carry on business or establish or keep a place of business within New South Wales.

Prohibition  
against  
company  
carrying on  
business in  
certain  
cases.

20

25

(2) Every company which fails to comply with the provisions of subsection one of this section and every officer or agent of the company concerned in the contravention of that subsection, shall be liable to a penalty not exceeding five hundred pounds, and in the case of a continuing offence, to a penalty not exceeding one hundred pounds for every day during which the default continues.

30



...

(a)

11

(b)

12

13

14

15

