



Companies (Acquisition of Shares) (Application of Laws) Act 1981

Reprinted as in force on 27 February 1996

Reprint No. 1*

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
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* Minor differences in presentation between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

Information about this reprint

This Act is reprinted as at 27 February 1996. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- update citations and references (pt 4, div 2)
- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use conjunctives and disjunctives consistent with current drafting practice (s 28)
- use expressions consistent with current drafting practice (s 29)
- use appropriate names for provision units (s 33A)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (ss 37 and 39)
- omit the enacting words (s 42A)
- correct minor errors (s 44).

This page is specific to this reprint. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
 - **table of obsolete and redundant provisions**
 - **table of corrected minor errors.**

Spelling

The spelling of certain words or phrases may be inconsistent with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’).



Queensland

Companies (Acquisition of Shares) (Application of Laws) Act 1981

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Companies (Acquisition of Shares) (Application of Laws) Act 1981

[as amended by all amendments that commenced on or before 27 February 1996]

An Act relating to the application of laws to regulate the acquisition of shares in companies incorporated in Queensland and matters connected therewith, to amend the *Companies Act 1961*, and for other purposes

1 Short title

This Act may be cited as the *Companies (Acquisition of Shares) (Application of Laws) Act 1981*.

3 Interpretation

(1) In this Act—

agreement means the agreement made on 22 December 1978 between the Commonwealth and the States in relation to a proposed scheme for the cooperative regulation of companies and the securities industry or, if that agreement is or has been amended or affected by another agreement, that agreement as so amended or affected.

commission means the National Companies and Securities Commission established by the *National Companies and Securities Commission Act 1979* (Cwlth).

ministerial council means the ministerial council for companies and securities established by the agreement.

the applied provisions means the provisions applying by reason of sections 4 and 6.

the Commonwealth Act means the *Companies (Acquisition of Shares) Act 1980* (Cwlth).

[s 4]

- (2) In this Act, a reference to a Commonwealth Act shall be construed as including a reference to that Act as amended and in force for the time being and to an Act passed in substitution for that Act.
- (3) The provisions of the Interstate Corporate Affairs Agreement do not apply to or with respect to the applied provisions or the administration of the applied provisions.

4 Application of law relating to acquisition of shares

Subject to this Act, the provisions of the Commonwealth Act (other than sections 1, 2, 3, 4 and 5) apply—

- (a) as if amended as set out in schedule 1; and
- (b) subject to and in accordance with the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*;

as laws of Queensland.

5 Exclusion

- (1) The provisions applying by reason of section 4, except as provided by section 17, operate to the exclusion of—
 - (a) the *Companies Act 1961*, part 6B and schedule 10; and
 - (b) the *Company Take-overs Act 1979* other than section 59.
- (2) The provisions of subsection (1) do not, unless the contrary intention appears—
 - (a) revive anything not in force or existing at the time at which the exclusion of the provisions of the *Companies Act 1961*, part 6B and schedule 10, or, as the case may be, of the *Company Take-overs Act 1979* takes effect; or
 - (b) affect the previous operation of that part or schedule or of the *Company Take-overs Act 1979* or anything duly done or suffered under that part or schedule or under the *Company Take-overs Act 1979*; or

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- (c) affect any right, privilege, obligation or liability acquired or incurred under that part or schedule or under the *Company Take-overs Act 1979*; or
 - (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against that part or schedule or against the *Company Take-overs Act 1979*; or
 - (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty forfeiture or punishment;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if subsection (1) had not been enacted.

- (3) Except for the purposes of subsection (2) and section 17 and notwithstanding any other enactment, the provisions of the *Company Take-overs Act 1979* cease, on the commencement of this Act, to be incorporated with, and that Act shall not be read as one with, the *Companies Act 1961*.

6 Application of regulations relating to acquisition of shares

Subject to this Act, the provisions of regulations in force for the time being under the Commonwealth Act (other than provisions providing for the citation or commencement of the regulations) apply—

- (a) as if amended as set out in schedule 2; and
- (b) subject to and in accordance with the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*;

as regulations made under the provisions applying by reason of section 4.

7 Incorporation in Companies (Queensland) Code

- (1) The provisions applying by reason of section 4 are incorporated with, and shall be read as one with, the Companies (Queensland) Code.
- (2) The provisions applying by reason of section 6 are incorporated with, and shall be read as one with, regulations applying under the Companies (Queensland) Code.

8 Operation of Companies (Queensland) Code

For the purposes of the operation of the Companies (Queensland) Code and regulations applying under that Code and the performance of functions and the exercise of powers under that Code or those regulations, with respect to the provisions of, or matters relating to or arising under, the applied provisions—

- (a) references in that Code or those regulations to documents submitted to, or lodged with, the commission shall be construed as references to documents submitted to, or lodged with, the commission under the applied provisions; and
- (b) references in those regulations to the Companies (Queensland) Code shall, in accordance with section 7(1) be construed as references to that Code with the incorporation of, and as read as one with, the provisions applying by reason of section 4.

9 Fees payable

- (1) There shall be paid to the commissioner for corporate affairs for Queensland, for and on behalf of the State, for or in respect of—
 - (a) the lodgment of documents with the commission under the applied provisions; and
 - (b) the registration of documents under the applied provisions or the inspection or search of registers kept by, or documents in the custody of, the commission under the applied provisions; and

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- (c) the production by the commission, pursuant to a subpoena, of any register kept by, or documents in the custody of, the commission under the applied provisions; and
 - (d) the issuing of documents or copies of documents, the granting of consents or approvals or the doing of other acts or things by the commission under the applied provisions; and
 - (e) the making of inquiries of, or applications to, the commission in relation to matters arising under the applied provisions; and
 - (f) the submission to the commission of documents for examination by the commission;

such fees (if any) as are prescribed by regulations in force for the time being under the *Companies (Acquisition of Shares—Fees) Act 1980* (Cwlth) and specified in the schedule to those regulations as if amended as set out in schedule 3 and as if, unless the contrary intention appears, expressions used had the same respective meanings as in the applied provisions.

- (2) Where a fee is payable to the commissioner for corporate affairs for Queensland for and on behalf of the State under subsection (1) for or in respect of the lodgment of a document with the commission and the document is submitted for lodgment without payment of the fee, the document shall be deemed not to have been lodged until the fee has been paid.
- (3) Where a fee is payable to the commissioner for corporate affairs for Queensland for and on behalf of the State under subsection (1) for or in respect of any matter involving the doing of any act or thing by the commission, the commission shall not do that act or thing until the fee has been paid.
- (4) This section has effect notwithstanding anything contained in the applied provisions.
- (5) Nothing in this section prevents the commissioner for corporate affairs for Queensland for and on behalf of the State from—

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- (a) waiving or reducing, in a particular case or classes of cases, fees that would otherwise be payable pursuant to this section; or
 - (b) refunding in whole or in part, in a particular case or classes of cases, fees paid pursuant to this section.
- (6) In this section, unless the contrary intention appears, the expressions used have the same respective meanings as in the applied provisions.

10 Amendment of regulations pursuant to agreement

- (1) Where, under the agreement, the ministerial council approves a proposed amendment of regulations in force for the time being under the Commonwealth Act or the *Companies (Acquisition of Shares—Fees) Act 1980* (Cwlth) and, upon the expiration of 6 months after the date on which the ministerial council so approved, the amendment has not been made or has been made and is subject to disallowance or has ceased to be in force by disallowance or for any other reason, the Governor in Council may make regulations in accordance with the proposed amendment approved by the ministerial council amending the provisions of regulations applying by reason of section 6 or the regulations referred to in section 9, as the case may be.
- (2) Regulations made by the Governor in Council under subsection (1) may amend schedule 2 or 3, as the case may be, and that schedule as so amended shall be schedule 2 or 3, as the case may be, to this Act.
- (3) In this Act—
 - (a) a reference to provisions of regulations applying by reason of section 6 includes a reference to provisions as so applying as amended in accordance with this section; and
 - (b) a reference to fees prescribed by regulations under the *Companies (Acquisition of Shares—Fees) Act 1980* (Cwlth) includes a reference to those regulations as amended in accordance with this section.

**11 Publication of Companies (Acquisition of Shares)
(Queensland) Code**

- (1) The Minister may from time to time authorise the publication by the government printer of the provisions of the Commonwealth Act (other than sections 1, 2, 3, 4 and 5), amended as set out in schedule 1 and in operation, or to come into operation, in Queensland.
- (2) A document published under subsection (1)—
 - (a) shall include the headings and sections set out in schedule 4; and
 - (b) shall include a notification of the date, or dates, on which the several provisions set out in the document came, or come, into operation in Queensland; and
 - (c) shall include a statement of the date on which the Minister authorised the publication; and
 - (d) may be cited as the Companies (Acquisition of Shares) (Queensland) Code.
- (3) A document that is or purports to be a copy of the Companies (Acquisition of Shares) (Queensland) Code that has been, or purports to have been, published in accordance with this section is prima facie evidence of the provisions of the Commonwealth Act applying by reason of section 4 as in operation, or to come into operation, in Queensland as notified in the document in accordance with subsection (2)(b).

**12 Publication of Companies (Acquisition of Shares)
(Queensland) Regulation**

- (1) The Minister may from time to time authorise the publication by the government printer of the provisions of regulations under the Commonwealth Act (other than provisions providing for the citation or commencement of the regulation) amended as set out in schedule 2 and in operation, or to come into operation, in Queensland.
- (2) A document published under subsection (1)—
 - (a) shall include the headings and provisions set out in schedule 5; and

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- (b) shall include a notification of the date, or dates, on which the several provisions set out in the document came, or come, into operation in Queensland; and
 - (c) shall include a statement of the date on which the Minister authorised the publication; and
 - (d) may be cited as the Companies (Acquisition of Shares) (Queensland) Regulation.
- (3) A document that is or purports to be a copy of the Companies (Acquisition of Shares) (Queensland) Regulation that has been, or purports to have been, published in accordance with this section, is prima facie evidence of the provisions applying by reason of section 6 as in operation, or to come into operation, in Queensland as notified in the document in accordance with subsection (2)(b).

13 Publication of Companies (Acquisition of Shares—Fees) (Queensland) Regulation

- (1) The Minister may from time to time authorise the publication by the government printer of the schedule to regulations prescribing fees under the *Companies (Acquisition of Shares—Fees) Act 1980* (Cwlth) amended as set out in schedule 3 and in operation, or to come into operation, in Queensland.
- (2) A document published under subsection (1)—
- (a) shall include the headings and provisions set out in schedule 6; and
 - (b) shall include a notification of the date, or dates, on which the several provisions set out in the document came, or come, into operation in Queensland; and
 - (c) shall include a statement of the date on which the Minister authorised the publication; and
 - (d) may be cited as the Companies (Acquisition of Shares—Fees) (Queensland) Regulation.
- (3) A document that is or purports to be a copy of the Companies (Acquisition of Shares—Fees) (Queensland) Regulation that

has been, or purports to have been, published in accordance with this section is prima facie evidence of the schedule to regulations referred to in section 9 as in operation, or to come into operation, in Queensland as notified in the document in accordance with subsection (2)(b).

14 Publication of provisions of amended Code or regulation

- (1) The Minister may from time to time authorise the publication by the government printer of a document setting out—
 - (a) provisions that by reason of—
 - (i) the enactment of an Act of the Commonwealth amending the Commonwealth Act; and
 - (ii) the operation of section 4 (including the operation, if applicable, of schedule 1);apply, or will apply, as laws of Queensland; or
 - (b) provisions that by reason of—
 - (i) regulations under the Commonwealth Act; and
 - (ii) the operation of section 6 (including the operation, if applicable, of schedule 2);apply, or will apply, as regulations made under the provisions applying by reason of section 4; or
 - (c) fees that by reason of—
 - (i) regulations under the *Companies (Acquisition of Shares—Fees) Act 1980* (Cwlth); and
 - (ii) the operation of section 9 (including the operation, if applicable, of schedule 3);are or will be, payable under that section.
- (2) A document published under subsection (1) shall include a notification of the date, or dates, on which the provisions or fees set out in the document came, or come, into operation in Queensland.
- (3) A document that has been or purports to have been published in accordance with this section is prima facie evidence of

provisions or fees referred to in subsection (1) set out in the document.

15 Interpretation of references to the applied provisions

- (1) Unless the contrary intention appears, in this or any other Act or in a regulation or other instrument made under this or any other Act or in any other document made by or under the authority of, or for the purposes of, a law of Queensland—
 - (a) a reference to the Companies (Acquisition of Shares) (Queensland) Code is a reference to the provisions of the Commonwealth Act applying by reason of section 4; and
 - (b) a reference to a provision of that Code is a reference to the corresponding provision of the Commonwealth Act as so applying; and
 - (c) a reference to the Companies (Acquisition of Shares) (Queensland) Regulation is a reference to the provisions of regulations in force under the Commonwealth Act applying by reason of section 6; and
 - (d) a reference to a provision of that regulation is a reference to the corresponding provision of the regulations in force under the Commonwealth Act as so applying; and
 - (e) a reference to the Companies (Acquisition of Shares—Fees) (Queensland) Regulation is a reference to the schedule to regulations prescribing fees under the *Companies (Acquisition of Shares—Fees) Act 1980* (Cwlth) as referred to in section 9; and
 - (f) a reference to a provision of that schedule is a reference to the corresponding provision of the schedule to regulations in force under that Act as referred to in section 9.
- (2) In subsection (1)—

provision includes part, division, section, subsection, paragraph, subparagraph, schedule, form, regulation, clause, subclause or other division.

16 Amendment of certain provisions in accordance with approval of ministerial council

Where, under the agreement, the ministerial council—

- (a) approves—
 - (i) a proposed amendment of the Commonwealth Act; or
 - (ii) regulations proposed to be made under the Commonwealth Act (whether or not amending other regulations); or
 - (iii) a proposed amendment of the *Companies (Acquisition of Shares—Fees) Act 1980* (Cwlth); or
 - (iv) regulations proposed to be made under that Act (whether or not amending other regulations); and
- (b) approves proposed regulations to be made under this Act in connection with the operation of the proposed amendment or regulations referred to in paragraph (a);

the Governor in Council may make regulations amending schedule 1, 2 or 3 or section 9, as the case may be, in accordance with that approval, and that schedule or section as so amended shall be schedule 1, 2 or 3 or section 9, as the case may be, of this Act.

17 Take overs pending at commencement of Act

- (1) Subject to the interim take over laws, where, pursuant to the superseded take over laws, a take over offer in relation to shares in a company was dispatched before 27 November 1979, and the period during which the take over offer was to remain open, or, in the case of a take over offer constituted by an invitation the period for which the invitation was expressed to remain open, had not expired before the date of commencement of this Act—
 - (a) this Act, other than this section, does not apply to or in relation to—
 - (i) the acquisition of shares in the company pursuant to the take over offer; or

- (ii) any other acquisition of shares in the company during the period during which the take over offer was to remain open, or, in the case of a take over offer constituted by an invitation, the period for which the invitation was expressed to remain open, by the offeror or invitor who dispatched the take over offer; and
 - (b) the superseded take over laws continue to apply to and in relation to any offers or invitations to acquire shares in the company, being offers or invitations referred to in paragraph (a).
- (2) Where, pursuant to the interim take over laws an offer to acquire shares in a company was—
 - (a) dispatched by or on behalf of an offeror under a take over scheme in relation to that company; or
 - (b) made by causing a take over announcement to be made on behalf of an on-market offeror in relation to that company;then—
 - (c) this Act other than this section, does not apply to or in relation to—
 - (i) the take over scheme or the take over announcement; or
 - (ii) the acquisition of shares in that company pursuant to that offer; or
 - (iii) any other acquisition of shares in the company of the same class as the shares to which the take over scheme or the take over announcement relates, during the period during which that offer was to remain open by that offeror or on-market offeror; and
 - (d) the interim take over laws continue to apply to and in relation to—
 - (i) the take over scheme or the take over announcement; and

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- (ii) any acquisition referred to in paragraph (c).
- (3) For the purpose of this section—
- (a) ***the superseded take over laws*** means the provisions of the law relating to take overs in force immediately before 27 November 1979, including the provisions of, the *Companies Act 1961*, part 6B and schedule 10, and a reference to the application of the superseded take over laws to and in relation to offers or invitations to acquire shares in a company includes, without limiting the generality of those words, a reference to the application of the *Companies Act 1961*, sections 180X and 180Y, as amended and in force immediately before 27 November 1979 in relation to shares in that company consequent upon the making of those offers or the issuing of those invitations; and
- (b) ***the interim take over laws*** means the provisions of the law relating to take overs in force in Queensland immediately before the date of commencement of this Act, and a reference to the application of the interim take over laws to and in relation to a take over scheme, a take over announcement or an acquisition of shares in or in relation to a company includes, without limiting the generality of those words, a reference to the application of the *Company Take-overs Act 1979*, sections 42 and 43, in relation to shares in that company consequent upon that take over scheme or take over announcement or that acquisition of shares; and
- (c) except where the contrary intention appears, expressions used in this section have the same respective meanings as those expressions have in the *Companies Act 1961*, part 6B or, as the case requires, as those expressions have in the *Company Take-overs Act 1979*.

Schedule 1

section 4

The provisions of the Commonwealth Act apply as if—

- 1 Unless inconsistent with another provision of this schedule—
 - (a) for the expression “*Companies Act 1981*” in the Commonwealth Act (wherever occurring) there were substituted the words “Companies (Queensland) Code”; and
 - (b) for the words “the Territory” in the Commonwealth Act (wherever occurring) there were substituted the word “Queensland”; and
 - (c) for the words “this Act” in the Commonwealth Act (wherever occurring except where occurring in conjunction with the words “commencement of”) there were substituted the words “this Code”; and
 - (d) for the words “commencement of this Act” in the Commonwealth Act (wherever occurring) there were substituted the expression commencement of the *Companies (Acquisition of Shares) (Application of Laws) Act 1981*”; and
 - (e) for the words “law of a State or of another Territory” and “law of a State or another Territory” in the Commonwealth Act (wherever occurring) there were substituted the words “law in force in another State or in a Territory”.
- 2 In section 6 of the Commonwealth Act—
 - (a) before the definition of “company” there were inserted the following definition—

‘Companies (Acquisition of Shares) (Queensland) Code or Code means the provisions applying by reason of section 4 of the *Companies (Acquisition of Shares) (Application of Laws) Act 1981*; and

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- (b) in the definition of *convertible note* after the expression “1936” there were inserted the words “of the Commonwealth as amended and in force for the time being”; and
- (c) after the definition of *recorded* there were inserted the following definition—

‘**regulations** means the provisions applying as regulations made under this Code by reason of section 6 of the *Companies (Acquisition of Shares) (Application of Laws) Act 1981*.’.

- 2A After section 6 of the Commonwealth Act there were inserted the following section—

“6A. In this Code—

- (a) a reference to a previous law, or provision of a previous law, or previous enactment, of Queensland or of the State corresponding to, or to a provision of, this Code includes a reference to, or to a provision of, the *Companies Act 1961* or the *Company Take-overs Act 1979*; and
- (b) a reference to a previous law, or provision of a previous law, or previous enactment, of a State other than Queensland or of another State corresponding to, or to a provision of, this Code includes a reference to, or to a provision of, that law of that State corresponding to the *Companies Act 1961* or the *Company Take-overs Act 1979*.”.

- 2B In section 8A(4) of the Commonwealth Act after the expression “1985” there were inserted the words “of the Commonwealth”.

2BA In section 16 of the Commonwealth Act—

- (a) in subsection (2AE) for the expression “Act 1980” there were substituted the expression “(Queensland) Code”;
- (b) in subsection (2AG) after the expression “1986” there were inserted the words “of the Commonwealth”.

- 2C In section 18(2C) of the Commonwealth Act after the expression “1985” there were inserted the words “of the Commonwealth”.

- 2D In section 25B of the Commonwealth Act—
- (a) in subsection (3), after the expression “1986” there were inserted the words “of the Commonwealth”; and
 - (b) in subsection (4)(a), after the expression “1986” there were inserted the words “of the Commonwealth”.
- 3 In section 28(7) of the Commonwealth Act—
- (a) for the words “stock exchange in a State or in another Territory” there were substituted the words “stock exchange in a State other than Queensland or in a Territory”; and
 - (b) for the words “other Territory” there were substituted the word “Territory”.
- 3AA In section 31A of the Commonwealth Act—
- (a) in subsection (2), after the expression “1986” there were inserted the words “of the Commonwealth”; and
 - (b) in subsection (4)(a), after the expression “1986” there were inserted the words “of the Commonwealth”.
- 3A In section 38(4) of the Commonwealth Act—
- (a) for the words “law of the place” there were substituted the words “law in force in the place”; and
 - (b) for the words “law of a place” there were substituted the words “law in force in the place”.
- 4 In section 42 of the Commonwealth Act—
- (a) in subsection (14) for the expression “Minister administering the *Unclaimed Moneys Ordinance 1950*” there were substituted the words “public trustee”; and
 - (b) in subsection (15)—
 - (i) for the expression “Minister administering the *Unclaimed Moneys Ordinance 1950*” there were substituted the words “public trustee”; and
 - (ii) for the words “that Ordinance” there were substituted the expression “part 8 of the *Public Trustee Act 1978*”; and

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- (c) in subsection (16)—
- (i) for the expression “Minister administering the *Unclaimed Moneys Ordinance 1950*” there were substituted the words “public trustee”; and
 - (ii) for the words “that Minister” there were substituted the words “the public trustee”; and
- (d) in subsection (18)—
- (i) for the expression “Commonwealth nor the Minister administering the *Unclaimed Moneys Ordinance 1950*” there were substituted the words “State nor the public trustee”; and
 - (ii) for the words “that Minister” (where they twice occur) there were substituted in each case the words “the public trustee”.
- 4A In section 49(6) of the Commonwealth Act for the words “of that Act” (wherever occurring) there were substituted the words “of that Code”.
- 5 In section 53(5) of the Commonwealth Act for the expression “section 5 of this Act” there were substituted the expression “section 5 of the *Companies (Acquisition of Shares) (Application of Laws) Act 1981*”.
- 5A In section 53 of the Commonwealth Act—
- (a) in subsection (5)(b) for the words “that Act” there were substituted the words “that Code”; and
 - (b) in subsection (6) after the expression “1985” there were inserted the words “of the Commonwealth”.
- 6 In section 56(1) and (2) of the Commonwealth Act, for the expression “; or of a regulation made for the purposes of subsection 62(3) or (4), there were substituted the words “or of the regulation”.
- 6A In section 56(1A) of the Commonwealth Act after the expression “1986” there were inserted the words “of the Commonwealth”.
- 7 Section 62 of the Commonwealth Act were repealed.

Schedule 1

- 8 In paragraph (e) of clause 2 of Part B of the Schedule to the Commonwealth Act for the words “of that Act” there were substituted the words “of that Code”.
- 8A In clause 3 of Part B of the Schedule to the Commonwealth Act for the words “that Act” (wherever occurring) there were substituted the words “that Code”.
- 9 In paragraph (e) of clause 2 of Part D of the Schedule to the Commonwealth Act for the words “of that Act” there were substituted the words “of that Code”.
- 10 In clause 3 of Part D of the Schedule to the Commonwealth Act for the words “that Act” (wherever occurring) there were substituted the words “that Code”.

Schedule 2

section 6

The provisions of regulations in force for the time being under the Commonwealth Act apply as if in those regulations—

- 1 For the words “the Act” (wherever occurring) there were substituted the words “the Code”.
- 2 For the expression “*Companies (Acquisition of Shares) Act 1980*” (wherever occurring) there were substituted the expression “Companies (Acquisition of Shares) (Queensland) Code”.
- 3 For the words “Supreme Court of the Australian Capital Territory” (wherever occurring) there were substituted the words “Supreme Court of Queensland”.
- 4 For the expression “*Companies Act 1981*” (wherever occurring) there were substituted the words “Companies (Queensland) Code”.
- 5 For the words “Companies Regulations” (wherever occurring) there were substituted the words “Companies (Queensland) Regulation”.

Schedule 3

section 9

The provisions of regulations in force for the time being under the *Companies (Acquisition of Shares—Fees) Act 1980* of the Commonwealth apply as if in those regulations—

- 1 For the words “the Act” (wherever occurring) there were substituted the words “the Companies (Acquisition of Shares) (Queensland) Code”.

Schedule 4

section 11

The following headings and sections shall be included in the publication of the provisions of the Commonwealth Act under section 11—

‘Companies (Acquisition of Shares) (Queensland) Code

RELATING TO THE ACQUISITION OF SHARES IN COMPANIES INCORPORATED IN QUEENSLAND AND MATTERS CONNECTED THEREWITH.

Part 1 Preliminary

- 1 This Code may be cited as the Companies (Acquisition of Shares) (Queensland) Code.
- 2 This Code comes into operation on the day on which the *Companies (Acquisition of Shares) (Application of Laws) Act 1981* comes into operation.
- 3 This Code shall be read and construed together with the agreement made on 22 December 1978 between the Commonwealth and the States in relation to a proposed scheme for the cooperative regulation of companies and the securities industry or if that agreement is or has been amended or affected by another agreement, that agreement as so amended or affected.
- 4 This Code has effect subject to and in accordance with the *Companies (Acquisition of Shares) (Application of Laws) Act 1981*.
- 5 This Code has effect subject to and in accordance with the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*.

Schedule 5

section 12

The following headings and provisions shall be included in the publication under section 12 of the provisions of regulations in force for the time being under the Commonwealth Act—

‘Companies (Acquisition of Shares) (Queensland) Regulations

- 1 (1) These regulations may be cited as the Companies (Acquisition of Shares) (Queensland) Regulations.
- (2) These regulations shall come into operation on the day on which the *Companies (Acquisition of Shares) (Application of Laws) Act 1981* comes into operation.
- (3) These regulations have effect subject to and in accordance with—
 - (a) the *Companies (Acquisition of Shares) (Application of Laws) Act 1981*; and
 - (b) the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*’.

Schedule 6

section 13

The following headings and provisions shall be included in the publication under section 13 of the schedule to regulations in force for the time being prescribing fees under the *Companies (Acquisition of Shares—Fees) Act 1980* of the Commonwealth—

‘Companies (Acquisition of Shares—Fees) (Queensland) Regulations

- 1 These regulations may be cited as the Companies (Acquisition of Shares—Fees) (Queensland) Regulations.
- 2 These regulations shall come into operation on the day on which the *Companies (Acquisition of Shares) (Application of Laws) Act 1981* comes into operation.
- 3 These regulations have effect subject to and in accordance with—
 - (a) the *Companies (Acquisition of Shares) (Application of Laws) Act 1981*; and
 - (b) the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*.
- 4 The fees payable for the purposes of section 9 of the *Companies (Acquisitions of Shares) (Application of Laws) Act 1981* are the fees specified in the schedule in relation to the respective matters so specified.

Schedule Fees’.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 27 February 1996. Future amendments of the Companies (Acquisition of Shares) (Application of Laws) Act 1981 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	reg pubd gaz 5 July 1986 p 1951	5 July 1986	27 February 1986

5 List of legislation

Companies (Acquisition of Shares) (Application of Laws) Act 1981 No. 47

date of assent 12 June 1981

commenced 1 July (proc pubd gaz 27 June 1981 p 1709)

amending legislation—

Companies (Acquisition of Shares) (Application of Laws) Regulation 1981

pubd gaz 26 September 1981 p 391

commenced 1 October 1981 (see s 2)

Companies (Consequential Amendments) Act 1981 No. 111 pt 4

date of assent 16 December 1981

s 14 commenced 1 July 1981 (see s 2(2) and proc pubd gaz 27 June 1981 p 1709)

remaining provisions commenced 1 July 1982 (see s 2(4) and proc pubd gaz 29 June 1982 p 2102)

Companies (Acquisition of Shares) (Application of Laws—Regulations) Regulation 1982

pubd gaz 29 June 1982 p 2103

commenced 1 July 1982 (see s 2 and proc pubd gaz 29 June 1982 p 2102)

Companies (Acquisition of Shares) (Application of Laws) Regulation 1983

pubd gaz 24 December 1983 p 1856

commenced 1 January 1984 (see s 2 and proc pubd Cwlth gaz 16 December 1983 No. S 324)

Companies (Acquisition of Shares) (Application of Laws) Regulation 1986

pubd gaz 5 April 1986 p 1412

commenced on date of publication

Companies (Acquisition of Shares) (Application of Laws) Regulation (No. 2) 1986

pubd gaz 14 June 1986 pp 1299–1300

commenced 24 June 1986 (see s 2 and proc pubd Cwlth gaz 18 December 1986 No. PS49)

Companies (Acquisition of Shares) (Application of Laws) Regulation (No. 3) 1986

pubd gaz 5 July 1986 p 1951

commenced on date of publication

6 List of annotations

Commencement

s 2 om R1 (see RA s 37)

Exclusion

prov hdg sub 1981 No. 111 s 11(a)

s 5 amd 1981 No. 111 s 11(b)

Incorporation in Companies (Queensland) Code

s 7 sub 1981 No. 111 s 12

Operation of Companies (Queensland) Code

s 8 sub 1981 No. 111 s 12

Fees payable

s 9 amd reg pubd gaz 26 September 1981 p 391

Schedule 1

s 1 amd 1981 No. 111 ss 13(a), 14(a)

s 2A ins 1981 No. 111 s 14(b)

s 2B ins reg pubd gaz 5 April 1986 p 1412

- s 2BA ins reg pubd gaz 14 June 1986 p 1299
 s 2C ins reg pubd gaz 5 April 1986 p 1412
 s 2D ins reg pubd gaz 14 June 1986 p 1299
 s 3AA ins reg pubd gaz 14 June 1986 p 1299
 s 3A ins 1981 No. 111 s 13(b)
 s 4A ins reg pubd gaz 24 December 1983 p 1856
 s 5A ins reg pubd gaz 5 April 1986 p 1412
 s 6A ins reg pubd gaz 5 July 1986 p 1951
 s 7 amd reg pubd gaz 5 April 1986 p 1412
 s 8 ins reg pubd gaz 24 December 1983 p 1856
 s 8A ins reg pubd gaz 5 April 1986 p 1412
 s 9 ins reg pubd gaz 24 December 1983 p 1856
 s 10 ins reg pubd gaz 5 April 1986 p 1412

Schedule 2

- s 4 ins reg pubd gaz 29 June 1982 p 2103
 s 5 ins reg pubd gaz 29 June 1982 p 2103

7 Table of obsolete and redundant provisions

under the Reprints Act 1992 s 39

Omitted provision	Provision making omitted provision obsolete/redundant
definitions to be read in context	Acts Interpretation Act 1954 s 32A

8 Table of corrected minor errors

under the Reprints Act 1992 s 44

Provision	Description
sch 1, s 2BA(b)	om 'afer the expression' ins 'after the expression'