

NORTHERN TERRITORY OF AUSTRALIA

COMPANIES (ACQUISITION OF SHARES) (APPLICATION OF LAWS) ACT

As in force at 1 July 1986

Table of provisions

1	Short title	1
2	Commencement	1
3	Interpretation	1
4	Application of law relating to acquisition of shares	2
5	Exclusion of certain provisions of <i>Companies Act</i>	2
6	Application of regulations relating to acquisition of shares	3
7	Incorporation in <i>Companies (Northern Territory) Code</i>	3
8	Operation of <i>Companies (Northern Territory) Code</i>	3
9	Fees payable	4
10	Amendment of regulations pursuant to agreement	5
11	Publication of <i>Companies (Acquisition Of Shares) (Northern Territory) Code</i>	6
12	Publication of <i>Companies (Acquisition Of Shares) (Northern Territory) Regulations</i>	6
13	Publication of <i>Companies (Acquisition Of Shares – Fees) (Northern Territory) Regulations</i>	7
14	Publication of provisions of amended Code or regulations	8
15	Interpretation of references to the applied provisions	9
16	Amendment of certain provisions in accordance with approval of Ministerial Council	9
17	Take-overs pending at commencement of act	10
18	Consequential Amendment of <i>Companies Act</i>	11

Schedule 1

Schedule 2

Schedule 3

Schedule 4

Schedule 5

Schedule 6

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 July 1986

COMPANIES (ACQUISITION OF SHARES) (APPLICATION OF LAWS) ACT

An Act relating to the application of laws to regulate the acquisition of shares in companies incorporated in the Territory and matters connected therewith, and for other purposes

1 Short title

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

2 Commencement

This Act shall come into operation on 1 July 1986.

3 Interpretation

(1) In this Act, unless the contrary intention appears:

Agreement means the agreement made on 22 December 1978, between the Commonwealth and the States in relation to a proposed scheme for the co-operative regulation of companies and the securities industry being an agreement to which, as amended, the Territory became a party on 28 January 1986, 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* of the Commonwealth.

Commissioner for Corporate Affairs means the Commissioner for Corporate Affairs for the Territory.

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* of the Commonwealth.

-
- (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.

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*,

as laws of the Territory.

5 Exclusion of certain provisions of *Companies Act*

- (1) The provisions applying by reason of section 4 (except as provided by section 17) operate to the exclusion of Part VIB of, and the Tenth Schedule to, the *Companies Act*.
- (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 Part VIB of, and the Tenth Schedule to, the *Companies Act* takes effect;
 - (b) affect the previous operation of that Part or Schedule or anything duly done or suffered under that Part or Schedule;
 - (c) affect any right, privilege, obligation or liability acquired or incurred under that Part or Schedule;
 - (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against that Part or Schedule; 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.

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*,

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

7 Incorporation in *Companies (Northern Territory) Code*

- (1) The provisions applying by reason of section 4 are incorporated with, and shall be read as one with, the *Companies (Northern Territory) 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 (Northern Territory) Code*.

8 Operation of *Companies (Northern Territory) Code*

For the purposes of the operation of the *Companies (Northern Territory) Code* and regulations 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 (Northern Territory) Code* shall, in accordance with section 7, 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 and on behalf of the Territory, for or in respect of:
- (a) the lodgement of documents with the Commission under the applied provisions;
 - (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;
 - (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;
 - (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;
 - (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* of the Commonwealth 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 and on behalf of the Territory under subsection (1) for or in respect of the lodgement of a document with the Commission and the document is submitted for lodgement 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 and on behalf of the Territory 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 and on behalf of the Territory from:
- (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* of the Commonwealth 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 Administrator 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 Administrator 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* of the Commonwealth includes a reference to those regulations as amended in accordance with this section.

11 Publication of *Companies (Acquisition Of Shares) (Northern Territory) Code*

- (1) The Minister may from time to time authorize 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 the Territory.
- (2) A document published under subsection (1):
 - (a) shall include the headings and sections set out in Schedule 4;
 - (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 the Territory;
 - (c) shall include a statement of the date on which the Minister authorized the publication; and
 - (d) may be cited as the *Companies (Acquisition of Shares) (Northern Territory) Code*.
- (3) A document that is or purports to be a copy of the *Companies (Acquisition of Shares) (Northern Territory) 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 the Territory as notified in the document in accordance with subsection (2)(b).

12 Publication of *Companies (Acquisition Of Shares) (Northern Territory) Regulations*

- (1) The Minister may from time to time authorize 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 regulations) amended as set out in Schedule 2 and in operation, or to come into operation, in the Territory.
- (2) A document published under subsection (1):
 - (a) shall include the headings and provisions set out in Schedule 5;
 - (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 the Territory;

-
- (c) shall include a statement of the date on which the Minister authorized the publication; and
 - (d) may be cited as the *Companies (Acquisition of Shares) (Northern Territory) Regulations*.
- (3) A document that is or purports to be a copy of the *Companies (Acquisition of Shares) (Northern Territory) Regulations* 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 the Territory as notified in the document in accordance with subsection (2)(b).

13 *Publication of Companies (Acquisition Of Shares – Fees) (Northern Territory) Regulations*

- (1) The Minister may from time to time authorize the publication by the Government Printer of the Schedule to regulations prescribing fees under the *Companies (Acquisition of Shares – Fees) Act 1980* of the Commonwealth amended as set out in Schedule 3 and in operation, or to come into operation, in the Territory.
- (2) A document published under subsection (1):
- (a) shall include the headings and provisions set out in Schedule 6;
 - (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 the Territory;
 - (c) shall include a statement of the date on which the Minister authorized the publication; and
 - (d) may be cited as the *Companies (Acquisition of Shares – Fees) (Northern Territory) Regulations*.
- (3) A document that is or purports to be a copy of the *Companies (Acquisition of Shares – Fees) (Northern Territory) Regulations* 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 the Territory as notified in the document in accordance with subsection (2)(b).

14 Publication of provisions of amended Code or regulations

- (1) The Minister may from time to time authorize 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 the Territory;
 - (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* of the Commonwealth; 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 the Territory.
- (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 the Territory:
- (a) a reference to the *Companies (Acquisition of Shares) (Northern Territory) Code* is a reference to the provisions of the Commonwealth Act applying by reason of section 4;
 - (b) a reference to a provision of that Code is a reference to the corresponding provision of the Commonwealth Act as so applying;
 - (c) a reference to the *Companies (Acquisition of Shares) (Northern Territory) Regulations* is a reference to the provisions of regulations in force under the Commonwealth Act applying by reason of section 6;
 - (d) a reference to a provision of those regulations is a reference to the corresponding provision of the regulations in force under the Commonwealth Act as so applying;
 - (e) a reference to the *Companies (Acquisition of Shares – Fees) (Northern Territory) Regulations* is a reference to the Schedule to regulations prescribing fees under the *Companies (Acquisition of Shares – Fees) Act 1980* of the Commonwealth 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;
 - (ii) regulations proposed to be made under the Commonwealth Act (whether or not amending other regulations);

-
- (iii) a proposed amendment of the *Companies (Acquisition of Shares – Fees) Act 1980* of the Commonwealth; 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 Administrator 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) Where a take-over offer in relation to shares in a company was dispatched more than 30 days before the date of commencement of this Act and the period during which the take-over offer remains open, or, in the case of a take-over offer constituted by an invitation, the period for which the invitation is expressed to remain open, had not expired before that date:
- (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 remains open, or, in the case of a take-over offer constituted by an invitation, the period for which the invitation is 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 a take-over offer in relation to shares in a company was dispatched during the period of 30 days before the date of commencement of this Act and the period during which the take-over offer remains open, or, in the case of a take-over offer constituted by an invitation, the period for which the invitation is expressed to remain open, had not expired before that date, this Act, other than this section:

-
- (a) does not apply to or in relation to the acquisition by any person of shares in the company during the period commencing on the date of commencement of this Act and ending at the expiration of 60 days after:
 - (i) if the take-over offer was not under a take-over scheme – the date on which the take-over offer was dispatched; or
 - (ii) if the take-over offer was under a take-over scheme – the last day before that date of commencement on which a take-over offer under the take-over scheme was dispatched; and
 - (b) does not apply to or in relation to the acquisition by any person of shares in the company after the expiration of the period referred to in paragraph (a) pursuant to offers or invitations made or issued before the end of that period,

and the superseded take-over laws continue to apply to and in relation to offers or invitations to acquire shares in the company made or issued before the end of that period.

(3) For the purposes of this section:

- (a) ***the superseded take-over laws*** means the provisions of the law relating to take-overs in force immediately before the date of commencement of this Act, including the provisions of Part VIB of, and the Tenth Schedule to, the *Companies Act*;
- (b) 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 sections 180X and 180Y of the *Companies Act*, as in force immediately before the commencement of this Act in relation to shares in that company consequent upon the making of those offers or the issuing of those invitations; and
- (c) except where the contrary intention appears, expressions used in this section have the same respective meanings as those expressions have in Part VIB of the *Companies Act* as in force immediately before the commencement of this Act.

18 Consequential Amendment of *Companies Act*

The *Companies Act* is amended:

- (a) by omitting from section 69D(2)(b) "14 days" and substituting "2 days";

-
- (b) by omitting from section 69E(2) "14 days" and substituting "2 days";
 - (c) by omitting from section 69F(2) "14 days" and substituting "2 days";
 - (d) by inserting in section 122(1)(c) after "or 303" the words "or under section 44 of the *Companies (Acquisition of Shares) (Northern Territory) Code* or the corresponding provision of the law of a State or another Territory of the Commonwealth";
 - (e) by inserting in section 127(1)(c) after "Tenth Schedule" the words "or the *Companies (Acquisition of Shares) (Northern Territory) Code*";
 - (f) by inserting in section 129(2) after "section 184" the words "or the *Companies (Acquisition of Shares) (Northern Territory) Code*";
 - (g) by omitting from section 185(1) "(not being a take-over scheme as referred to in subsection (4) of section 180A)" and substituting ", not being:
 - (a) a take-over scheme as referred to in section 180A(4);
 - (b) a scheme involving the acquisition of shares in a company as a result of the acceptance of offers to acquire those shares made under a take-over scheme in relation to that company as referred to in section 16 of the *Companies (Acquisition of Shares) (Northern Territory) Code*; or
 - (c) a scheme involving the acquisition of shares in a listed public company where the shares are acquired as a result of the acceptance of offers made in accordance with section 17 of the *Companies (Acquisition of Shares) (Northern Territory) Code*"; and
 - (h) by inserting in section 354(8) after "185" the words "of this Act or section 42 of the *Companies (Acquisition of Shares) (Northern Territory) Code*".

Schedule 1

section 4

The provisions of the Commonwealth Act apply as if:

1. Unless inconsistent with another provision of this Schedule:
 - (a) for "Companies Act 1981" in the Commonwealth Act (wherever occurring) there were substituted "*Companies (Northern Territory) Code*";
 - (b) for "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 "law in force in a State or in another Territory";
 - (c) for "this Act" in the Commonwealth Act (wherever occurring except where occurring in conjunction with the words "commencement of") there were substituted "this Code"; and
 - (d) for "commencement of this Act" in the Commonwealth Act (wherever occurring) there were substituted "commencement of the *Companies (Acquisition of Shares) (Application of Laws) Act 1986*".
2. In section 6 of the Commonwealth Act:
 - (a) before the definition of "company" there were inserted the following:

Companies (Acquisition of Shares) (Northern Territory) Code or **Code** means the provisions applying by reason of section 4 of the *Companies (Acquisition of Shares) (Application of Laws) Act 1981*;;
 - (b) in the definition of "convertible note" after "1936" there were inserted "of the Commonwealth as amended and in force for the time being"; and
 - (c) after the definition of "recorded" there were inserted the following:

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*.,

3. After section 6 of the Commonwealth Act there were inserted the following:
 - "6A. In this Code:
 - (a) a reference to a previous law, or provision of a previous law, or previous enactment, of the Territory or of a State corresponding to, or to a provision of, this Code includes a reference to, or to a provision of, the *Companies Act*; and
 - (b) a reference to a previous law, or provision of a previous law, or previous enactment of the Territory or of a 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*".
4. In section 8A of the Commonwealth Act after "1985" there were inserted "of the Commonwealth".
5. In section 18(2C) of the Commonwealth Act after "1985" there were inserted "of the Commonwealth".
6. In section 38(4) of the Commonwealth Act:
 - (a) in paragraph (a)(ii) for "law of the place" there were substituted "law in force in the place"; and
 - (b) in paragraph (c) for "law of a place" there were substituted "law in force in a place".
7. In section 42 of the Commonwealth Act:
 - (a) for "Unclaimed Moneys Ordinance 1950" (wherever occurring) there were substituted "*Companies (Unclaimed Assets and Moneys) Act*";
 - (b) in subsection (15) for "that Ordinance" there were substituted "the *Companies (Unclaimed Assets and Moneys) Act*"; and
 - (c) in subsection (18) for "Commonwealth" there were substituted "Territory".
8. In section 49(6) of the Commonwealth Act for "of that Act" (wherever occurring) there were substituted "of that Code".
9. In section 53 of the Commonwealth Act:
 - (a) in subsection (5) for "section 5 of this Act" there were substituted "section 5 of the *Companies (Acquisition of Shares) (Application of Laws) Act*";

- (b) in subsection (5)(b) for "that Act" there were substituted "that Code"; and
 - (c) in subsection (6) after "1985" there were inserted "of the Commonwealth".
- 10. In section 56(1) and (2) of the Commonwealth Act for the words ", or of a regulation made for the purposes of subsection 62(3) or (4)," there were substituted the words "or of the regulations".
- 11. Sections 62 and 64 of the Commonwealth Act were repealed.
- 12. In clause 2(e) of Part B of the Schedule to the Commonwealth Act for "of that Act" there were substituted "of that Code".
- 13. In clause 3 of Part B of the Schedule to the Commonwealth Act for "that Act" (wherever occurring) there were substituted "that Code".
- 14. In clause 3(e) of Part D of the Schedule to the Commonwealth Act for the words "of that Act" there were substituted the words "of that Code".
- 15. In clause 3 of Part D of the Schedule to the Commonwealth Act for "that Act" (wherever occurring) there were substituted "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 Act" (wherever occurring) there were substituted "the Code".
2. For "Companies (Acquisition of Shares) Act 1980" (wherever occurring) there were substituted "*Companies (Acquisition of Shares) (Northern Territory) Code*".
3. For "Supreme Court of the Australian Capital Territory" (wherever occurring) there were substituted "Supreme Court of the Northern Territory".
4. For "Companies Act 1981" (wherever occurring) there were substituted "*Companies (Northern Territory) Code*".
5. For "Companies Regulations" (wherever occurring) there were substituted "*Companies (Northern Territory) Regulations*".

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 Act" (wherever occurring) there were substituted "the *Companies (Acquisition of Shares) (Northern Territory) 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) (NORTHERN TERRITORY) CODE

RELATING TO THE ACQUISITION OF SHARES IN COMPANIES INCORPORATED IN THE NORTHERN TERRITORY AND MATTERS CONNECTED THEREWITH

Part I Preliminary

1 Short title

This Code may be cited as the *Companies (Acquisition of Shares) (Northern Territory) Code*.

2 Commencement

This Code comes into operation on the day on which the *Companies (Acquisition of Shares) (Application of Laws) Act 1986* commences.

3 Agreement

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 co-operative regulation of companies and the securities industry and being an agreement to which, as amended, the Northern Territory became a party on 28 January 1986, or, if that agreement is or has been amended or affected by another agreement, that agreement as so amended or affected.

4 Code subject to Act

This Code has effect subject to and in accordance with the *Companies (Acquisition of Shares) (Application of Laws) Act*.

5 Interpretation

This Code has effect subject to and in accordance with the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act*.

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) (NORTHERN TERRITORY) REGULATIONS

1 Citation

These regulations may be cited as *the Companies (Acquisition of Shares) (Northern Territory) Regulations*.

2 Commencement

These regulations shall come into operation on the day on which the *Companies (Acquisition of Shares) (Application of Laws) Act 1986* commences.

3 Application

These regulations have effect subject to and in accordance with:

- (a) the *Companies (Acquisition of Shares) (Application of Laws) Act*; and
- (b) the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act*.

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) (NORTHERN TERRITORY) REGULATIONS

1 Citation

These regulations may be cited as the *Companies (Acquisition of Shares – Fees) (Northern Territory) Regulations*.

2 Commencement

These regulations shall come into operation on the day on which the *Companies (Acquisition of Shares) (Application of Laws) Act 1986* commences.

3 Application

These regulations have effect subject to and in accordance with:

- (a) the *Companies (Acquisition of Shares) (Application of Laws) Act*; and
- (b) the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act*.

4 Fees

The fees payable for the purposes of section 9 of the *Companies (Acquisition of Shares) (Application of Laws) Act*, are the fees specified in the Schedule in relation to the respective matters so specified.

ENDNOTES

1

KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz = Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced

od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2

LIST OF LEGISLATION

Companies (Acquisition of Shares) (Application of Laws) Act 1986 (Act No. 15, 1986)

Assent date	30 June 1986
Commenced	1 July 1986 (s 2)