

**THIRD SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

No. 4,001 of 9th May, 2013

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**B.08/13**

**BILL**

**FOR**

**AN ACT** to amend the Companies Act.

**ENACTED** by the Legislature of Gibraltar.

**Title and commencement.**

1. This Act may be cited as the Companies (Amendment) Act 2013 and comes into operation on 1 July 2013.

**Amendment of the Companies Act.**

2. Section 347 of the Companies Act is amended—

(a) by substituting the following subsection for subsection (2)—

“(2) Where any notice or document which under this Act is required to be given, delivered, sent or forwarded to the Registrar or lodged with the Registrar within a specified time is—

- (a) given, delivered, sent or forwarded to the Registrar or lodged with him outside the specified time; or
- (b) substituted by a notice or document outside the specified time,

the supplementary fee specified in subsection (4) in respect of that late or substituted notice or document shall be payable, in addition to the fee due at the date the late or substituted document is delivered, sent or forwarded to the Registrar or

lodged with him as provided from time to time in the Table set out in Schedule 8 in respect of that notice or document.”;

(b) by inserting the following subsection after subsection (3)–

“(4) The supplementary fees referred to in subsection (2) are–

(a) in respect of lodging an Annual Return with the Registrar after the due date for lodging of that Annual Return or lodging a substitute Annual Return after the due date for lodging of that Annual Return–

(i) in the first year after the due date, £30.00;

(ii) in the second year after the due date, £60.00;

(iii) in the third year after the due date, £90.00; and

(iv) in any year after the third year after the due date, £120.00;

(b) in respect of filing of accounts–

(i) more than 13 months but not more than 24 months after the financial period to which they relate, £50.00; and

(ii) more than 24 months after the financial period to which they relate, £100.00;

(c) in respect of lodging or filing of any document other than the one specified in paragraph (a) or (b) of this subsection after the due date for filing or lodging of that document or filing or lodging of a substitute document after the due date for filing or lodging of that document, £15.00.”.

**EXPLANATORY MEMORANDUM**

This Bill amends the Companies Act to make provision within the main Act for the charging of supplementary fees where documents which are required by the Act to be given, delivered, sent or forwarded to the Registrar or lodged with him within a specified time are either given, delivered, sent, forwarded or lodged outside the specified time or substitute documents are similarly given, delivered, sent, forwarded or lodged.

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