

Subsidiary Legislation made under ss.417 and 488(4).

Companies (Certification of Documents) Rules 2014

LN.2014/192

Commencement

1.11.2014

ARRANGEMENT OF RULES

Rule

1. Title and commencement.
2. Certification of documents.
3. Certification of translation.
4. Time for delivering returns of alterations.
5. Verification or certification of copies of charges.
6. Revocation.

In exercise of the powers conferred on him by sections 417 and 488(4) of the Companies Act 2014, and all other enabling powers, the Chief Justice has made the following rules with the approval of the Minister—

Title and commencement.

1. These rules may be cited as the Companies (Certification of Documents) Rules 2014 and come into operation on the 1st day of November 2014.

Certification of documents.

2. A copy of any document required to be delivered to the Registrar under section 432 of the Act shall be deemed to be certified as a true copy if in the country of incorporation of the company it is—

- (a) duly certified as a true copy by an official of the Government to whose custody the original is committed; or
- (b) duly certified as a true copy by a notary public of such country; or
- (c) duly certified as a true copy on oath by some officer of the company before some person having authority to administer an oath in that country.

Certification of translation.

3. A translation of any document required to be delivered to the Registrar under section 432 of the Act shall be certified to be a correct translation—

- (a) if made in Gibraltar, by a barrister or solicitor or by a notary public;
- (b) if made in any country of the Commonwealth, by any person having authority to administer an oath in that country or by a notary public of that country;
- (c) if made in any other country, by a notary public.

Provided that the Registrar may in any particular case, if he thinks fit and upon such conditions as he may think fit, accept for registration a translation not certified in accordance with the above requirements.

Time for delivering returns of alterations.

4. The time within which a return containing particulars of an alteration required to be delivered to the Registrar under section 433 of the Act shall be thirty days after the date on

which the return could in due course of post and if despatched with due diligence have been received in Gibraltar.

Verification or certification of copies of charges.

5. A copy of the instrument by which a charge is created or evidenced required to be delivered to the Registrar under sections 168 and 170 of the Act shall be verified or certified to be a true copy under the seal of the company, or under the hand of some person interested therein otherwise than on behalf of the company.

Revocation.

6. The Companies Rules (L.N. 1980/034) are revoked.