



News Letter

Companies (Amendment) Ordinance 2003

On the 31st July 2003 an amendment to the new section 203A of the Companies Ordinance came into effect.

This amendment to section 203A allows the Registrar to strike from the register of companies any company which has not filed annual returns in the previous three calendar years.

The name of any company to be struck off under section 203A will be published in:-

- The 7th Supplement to the Gibraltar Gazette
- Companies House Web site “companieshouse.gi” Notice Board section; or
- May be viewed at The Registry, 317 Main Street, Gibraltar.

Section 203A Now reads as follows:-

203A.(1) Subject to the provisions of subsections (2) to (4), the Registrar may strike off the register the name of any company, other than a public limited company, in respect of which no annual return has been filed contrary to the requirements of section 100 or section 101, as the case may be, *in the previous three calendar years.*

(2) Where the Registrar proposes to strike off the name of any company he shall publish in the Gazette the name of that company and notice of his intention to strike off the name and shall not strike the name off the register before the expiration of three calendar months from the date of publication.

(3) Unless the Register receives within 3 months of the date of publication written representations showing cause to the contrary he may strike off the name of the company.



(4) If the Registrar has received written representations under subsection (3) he may decide not to strike off the name of the company and, if he so decides, he may require the company to take such action and pay such fees as he sees fit to satisfy the requirements of section 100 or section 101, as the case may be, in respect of the years *since the annual return was last filed* and the date of the publication of the notice in the Gazette under subsection(2).

20th September 2003