

L.N. 401 of 2011

**COMPANIES ACT
(CAP. 386)**

Companies Act (Forms) (Amendment) Regulations, 2011

IN exercise of the powers conferred by article 425 of the Companies Act, the Minister of Finance, the Economy and Investment, has made the following regulations:

1. The title of these regulations is the Companies Act (Forms) (Amendment) Regulations, 2011, and these regulations shall be read and construed as one with the Companies Act (Forms) Regulations, hereinafter referred to as the "principal regulations".

Citation.

S.L. 386.01

2. Immediately after Form R (1) in the Schedule to the principal regulations, there shall be added the new Form S found in the Schedule to these regulations.

Amendment of
Schedule to the
principal
regulations.

SCHEDULE

Form S

No. of Company

COMPANIES ACT

Declaration of compliance with article (110(4)) relating to financial assistance
given by a private company for the purchase of its own
or its parent company's shares ^(a)

Pursuant to article 110(4)

Name of Company

Delivered by

To the Registrar of Companies:

I/We being director/s ^(b) of ^(c)
..... hereby confirm, in
accordance with article 110(4) of the Companies Act, that:

(i) the Board of Directors has, after taking into account the financial position of the company and the obligations of the directors as set out in article 136A, resolved by the affirmative vote of a majority of all the directors forming the Board at the time of the particular resolution, to authorize the grant of financial assistance for a specific transaction;

(ii) an extraordinary resolution has been passed affirming the above-mentioned resolution.

Signature

Director/s ^(d)

Dated this day of of the year

This form must be completed in typed form.

- (a) This declaration is to be delivered prior to the granting of financial assistance.
- (b) Indicate the names of the directors who are signing the form, who must be at least two in number provided that the signature of one director is sufficient in the case where the Board is composed of only one director.
- (c) State company name.
- (d) The form must be signed by at least two directors, provided that the signature of one director is sufficient in the case where the Board is composed of only one director.

