

## **Amendments brought to Companies Act 2001 through Finance Act 2006**

### **Companies Act 2001 amended as follows:**

- (a) in section 2(5), by deleting the words “10 million rupees” and replacing them by the words “30 million rupees”;
- (b) in section 68(6), by deleting the words “The company” and replacing them by the words “Except where dispensation has been granted under section 52(5), the company”;
- (c) in section 86(1), by adding immediately after the words “Code Civil Mauricien”, the words “and any other applicable law”;
- (d) in section 138, by repealing subsection (6) and replacing it by the following subsection –
  - (6) Notwithstanding anything in this section, a person of or over the age of 70 years may –
    - (a) by an ordinary resolution of which no shorter notice is given than that required to be given for the holding of a meeting of shareholders, be appointed or re-appointed as a director of that company to hold office until the next annual meeting of the company or be authorised to continue to hold office as a director until the next annual meeting of the company; or
    - (b) in the case of an application for incorporation of a public company, be appointed with the consent in writing of the proposed shareholders.
- (e) in section 187, by repealing subsection (1) and replacing it by the following subsection –
  - (1) Every company shall always –
    - (a) have a registered office in Mauritius to which all communications and notices may be addressed and which shall constitute the address for service of legal proceedings on the company; and
    - (b) cause its name and the word “Registered Office” to be permanently displayed in a conspicuous place in legible romanised letters on the outside of its registered office.
- (f) in section 220, in paragraph (a), by deleting the words “in accordance with

section 212” and replacing them by the words “in accordance with sections 210 and 212 respectively”.