

CHAPTER 3 Director of Corporate Enforcement

Director of Corporate Enforcement

945. (1) The office of Director of Corporate Enforcement established by section 7 of the Company Law Enforcement Act 2001 shall continue in being.

(2) The person holding the office of Director of Corporate Enforcement immediately before the commencement of this section shall, unless he or she resigns, dies, is removed from, or otherwise vacates, office, continue to hold office after that commencement for the remainder of the period of office for which he or she was appointed before that commencement; unless those terms or conditions are varied in accordance with this Chapter, that person shall continue to hold such office subject to the same terms and conditions as those subject to which he or she held office immediately before that commencement.

(3) Any appointment of a person to be the Director of Corporate Enforcement falling to be made after the commencement of this section shall be made by the Minister.

(4) The person to be appointed shall be a person duly selected following a competition under the Public Service Management (Recruitment and Appointments) Act 2004 and of which selection the Minister has been advised accordingly.

(5) The Director shall be a corporation sole and, notwithstanding any casual vacancy in the office from time to time, shall have perpetual succession and shall be capable in his or her corporate name of holding and disposing of real or personal property and of suing and being sued.

(6) The Director shall perform the functions conferred on him or her under this or any other Act and shall be assisted in the performance of those functions by the officers of the Director.

(7) Judicial notice shall be taken of the signature of the Director on or affixed to any document and it shall be presumed, unless the contrary is proved, that it has been duly signed or affixed.