

360C. Power of the Chief Executive in Council to order company engaging in undesirable activities to be struck off

- (1) If the Chief Executive in Council is satisfied that a company formed and registered under the Companies Ordinance (Cap. 622) or any former Companies Ordinance would, if it were a society in respect of which the Societies Ordinance (Cap. 151) applied, be liable to have its registration or exemption from registration cancelled under section 5D or its operation or continued operation prohibited by the Secretary for Security under section 8 of that Ordinance, the Chief Executive in Council may order the Registrar of Companies to strike such company off the Companies Register. *(Amended 75 of 1992 s. 34; 118 of 1997 s. 19; 23 of 1999 s. 3)*
- (2) The Registrar shall thereupon strike the name of the company off the register, and shall publish notice thereof in the Gazette, and on such publication the company shall be dissolved:

Provided that the liability, if any, of every director, officer and member of the company shall continue and may be enforced as if the company had not been dissolved.
- (3) A copy of such notice shall be sent to such company, and may either be sent by post or be delivered by hand addressed to the company at its registered office, or if no office has been registered, addressed to the care of some director or officer of the company, or if there is no director or officer of the company whose name and address are known to the Registrar, the notice may be sent or delivered to each of the founder members, addressed to the founder member at the address mentioned in the memorandum of association or incorporation form, as the case may be, but if none of such addresses is available or if for any other reason the Registrar considers it unlikely that any notice sent in pursuance of this subsection will come to the knowledge of the addressee, it shall be sufficient compliance with this subsection that notice in the Gazette shall have been published in accordance with subsection (2). *(Amended 30 of 2004 s. 2)*

(Amended 28 of 2012 ss. 912 & 920)