

360B. Power of Chief Executive in Council to order Registrar to refuse registration if satisfied that a company is being formed to evade the Societies Ordinance

- (1) If the Registrar suspects that the relevant documents relate to a company which is being formed with the object of circumventing— (*Amended 28 of 2012 ss. 912 & 920*)
- (a) the refusal of the Societies Officer to register or to exempt from registration a society under the Societies Ordinance (Cap. 151); or
 - (b) the cancellation by the Societies Officer of the registration or exemption from registration of a society registered or exempted under the Societies Ordinance (Cap. 151); or
 - (c) the prohibition of the operation or continued operation of a society by the Secretary for Security under section 8 of the Societies Ordinance (Cap. 151),

or for the purpose of otherwise evading or defeating the provisions of the Societies Ordinance (Cap. 151) or anything done thereunder, it shall be lawful for him to withhold registration of the same pending the receipt of the instructions of the Chief Executive in Council with respect thereto. In the event of the Chief Executive in Council being satisfied that the company is being formed with any such object or for any such purpose, he may order the Registrar to refuse registration of the relevant documents. Despite section 15 of the pre-amended Ordinance or section 67 of the Companies Ordinance (Cap. 622), the Registrar must refuse registration of the relevant documents on receipt of the order. (*Amended 75 of 1992 s. 33; 118 of 1997 s. 18; 23 of 1999 s. 3; 28 of 2012 ss. 912 & 920*)

- (2) In this section—

relevant documents (有關文件) means—

- (a) the memorandum of association and articles of association of the company delivered to the Registrar in accordance with section 15 of the pre-amended Ordinance; or
- (b) the incorporation form and articles of association of the company delivered to the Registrar in accordance with section 67 of the Companies Ordinance (Cap. 622). (*Added 28 of 2012 ss. 912 & 920*)