

**326. Meaning of unregistered companies**

- (1) For the purposes of this Part, ***unregistered company*** (非註冊公司) includes any partnership, whether limited or not, any association and any company with the following exceptions — (*Amended 3 of 1997 s. 48*)
- (a) a company registered under the Companies Ordinance 1865 (1 of 1865), or under the Companies Ordinance 1911 (58 of 1911), or under the pre-amended Ordinance, or under the Companies Ordinance (Cap. 622);
  - (b) a partnership, association or company which consists of less than 8 members and is not formed or established outside Hong Kong; (*Amended 23 of 1998 s. 2*)
  - (c) a partnership registered in Hong Kong under the Limited Partnerships Ordinance (Cap. 37). (*Amended 6 of 1984 s. 259*)
- (2) For the avoidance of doubt, it is declared that in subsection (1), ***unregistered company*** includes a registered non-Hong Kong company. (*Replaced 30 of 2004 s. 2.*)

**Note—**

For the application of this Part to a limited partnership fund (as defined by section 2 of the Limited Partnership Fund Ordinance (Cap. 637)), see Division 2 of Part 6 of that Ordinance. (*Added 14 of 2020 s. 104. Amended E.R. 5 of 2020*)

(*Amended 28 of 2012 ss. 912 & 920*)

[*cf. 1929 c. 23 s. 337 U.K.*]