

**Bills Committee on Companies (Amendment) Bill 2003**

**List of issues requiring follow-up actions by the Administration  
on Schedule 3 of the Bill  
(position as at 20 April 2004)**

Fees relating to overseas companies

Date of meeting	Issue	Outcome
15 April 2004	To provide a chart setting out the current and the proposed fees relating to overseas companies and the corresponding fees (including current and proposed fees) for Hong Kong companies.	Reply awaited

Registration of charges for overseas companies

Date of meeting	Issue	Outcome
15 April 2004	<p>(a) To clarify how far the proposed amendments in relation to registration of charges for overseas companies are based on the relevant recommendations of the Standing Committee on Company Law Reform;</p> <p>(b) To clarify the definition of "brought into Hong Kong" under <b>proposed section 91</b> with illustrations in respect of the charges specified under section 80(2) of the Companies Ordinance, and to provide relevant common law regarding the interpretation of this expression;</p> <p>(c) To confirm whether any evidence/supporting documents (including evidence of the date when the property subject to a charge was brought into Hong Kong) are required for registering a charge where the relevant property is brought into Hong Kong after the creation of the charge; how the proposed arrangement compares to that for the registration of charges for Hong Kong companies;</p>	Reply awaited

Registration of charges for oversea companies (Cont'd)

<b>Date of meeting</b>	<b>Issue</b>	<b>Outcome</b>
15 April 2004 (Cont'd)	(d) To clarify whether under <b>proposed section 91</b> , a non-Hong Kong company is obliged to register a charge if only part of the relevant property or only the title documents of the relevant property is brought into Hong Kong;  (e) To review whether <b>proposed section 91</b> is sufficient to deal with situations where the relevant properties are brought into and out of Hong Kong from time to time and in-between these movements remain in Hong Kong for different periods of time; and  (f) To meet with the Hong Kong Association of Banks and the Law Society of Hong Kong to discuss the proposed amendments in relation to registration of charges for oversea companies.	Reply awaited

Continuing obligation in respect of authorized representative  
Return to be delivered to Registrar where documents, etc. altered

<b>Date of meeting</b>	<b>Issue</b>	<b>Outcome</b>
15 April 2004	(a) To review whether <b>proposed section 335(1)</b> adequately covers the situation specified under existing section 333A(2), which is proposed to be deleted.	Reply awaited

Council Business Division 1  
Legislative Council Secretariat  
20 April 2004