

《公司條例草案》委員會

二零一二年五月三十一日會議的跟進行動 –  
以法律行動反對安排計劃的費用

目的

本文件載述有關公司成員以法律行動反對安排計劃的費用的委員會審議階段修正案。

以法律行動反對安排計劃的費用

2. 應委員要求，我們建議參考有關法定衍生訴訟的費用的第727條，訂立新條文，以處理就公司成員以法律行動反對在第664A(2)條下涉及收購要約或公開要約的安排計劃的費用。新條文的字眼載於附件。

徵求意見

3. 請委員省覽文件的內容，並提出意見。

財經事務及庫務局  
公司註冊處  
二零一二年六月四日

**665A. Court may order costs**

- (1) This section applies in relation to an application made for the purposes of section 664(3) for an order of the Court sanctioning an arrangement that falls within section 664A(2).
- (2) The Court may make any order that it thinks fit about the costs incurred or to be incurred by a member who dissents from the arrangement in opposing the application.
- (3) An order may require the company or any other party to the application to indemnify the member against the cost incurred or to be incurred by the member.
- (4) The Court may only make an order about costs (including the requirement as to indemnification) under this section in favour of the member if it is satisfied that the member was acting in good faith in, and had reasonable grounds for, opposing the application.