

Island of



Guernsey

## Ordinance of the States

**XXIX**  
**2017**

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Made ..... 22nd August, 2017  
Coming into Operation ..... 22nd August, 2017  
Laid before the States ..... 18th October, 2017

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### **The Companies (Guernsey) Law, 2008 (Amendment) Ordinance, 2017**



## **The Companies (Guernsey) Law, 2008 (Amendment) Ordinance, 2017**

THE STATES POLICY & RESOURCES COMMITTEE, in exercise of the powers conferred on the States by sections 533 and 538 of the Companies (Guernsey) Law, 2008, as amended<sup>a</sup>, and all other powers enabling the States in that behalf, and on the Committee by Article 66A of the Reform (Guernsey) Law, 1948, as amended<sup>b</sup>, hereby orders:-

### **Amendment of Law.**

1. The Companies (Guernsey) Law, 2008, as amended, is further amended as follows.

2. For section 260(2)(a) substitute the following paragraph -

"(a) control of the partnership rests with either of, or any combination of -

(i) qualified individuals, or

(ii) a partnership or body corporate control of

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<sup>a</sup> Order in Council No. VIII of 2008; No. XIII of 2010; No. I of 2013; No. VI of 2014; Recueil d'Ordonnances Tome XXXIII, p. 122; Tome XXXIII, p. 327; Tome XXXIII, p. 472; Tome XXXIII, p. 487; Ordinance No. XI of 2010; No. XXXI of 2012; No. XXXI of 2013; No. IV of 2015; No. XII of 2015; No. XXVI of 2015; No. IX of 2016; G.S.I. No. 34 of 2009; G.S.I. No. 37 of 2013; G.S.I. No. 84 of 2014; G.S.I. No. 29 of 2016; G.S.I. No. 35 of 2016 and G.S.I. No. 38 of 2016.

<sup>b</sup> Ordres en Conseil Vol. XIII, p. 288 (there are amendments not material to this Ordinance).

which rests with qualified individuals, and".

3. In section 260(2)(b) after "every partner" insert "or member".

4. For section 260(3)(a) substitute the following paragraph -

"(a) control of the body corporate rests with either of, or any combination of -

(i) qualified individuals, or

(ii) a partnership or body corporate control of which rests with qualified individuals, and".

5. In section 260(4) after "or employee" insert "or, in the case of a limited liability partnership, a fellow member".

6. In section 260(8) in the definition of "control" after "at any meeting of the partners" insert "or members".

7. In section 260(8) add the following definition after the definition of "control" -

"**partnership**" includes a limited partnership and a limited liability partnership.".

8. In section 274B(2)(b)(ii) after "the name and address of each partner" insert "or member".

**Citation.**

9. This Ordinance may be cited as the Companies (Guernsey) Law, 2008 (Amendment) Ordinance, 2017.

**Commencement.**

10. This Ordinance shall come into force on the 22<sup>nd</sup> August, 2017.





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