

COMPANIES (FEES) REGULATIONS – SECTION 224

(Legal Notice No. 8 of 1994)

(Made by the Governor under section 224 (b)
of the Companies Ordinance)

[4 March 1994] Commencement

1. (1) These Regulations may be cited as the Companies (Fees) Regulations. Short title

(2) In these Regulations “Ordinance” means the Companies Ordinance.

2. Schedule I shall have effect with regard to fees payable by companies other than exempted companies.

3. Schedule II shall have effect with regard to fees payable by proposed exempted companies and exempted companies.

4. Schedule III shall have effect with regard to fees payable by all companies.

SCHEDULE I

(Regulation 2)

FEES PAYABLE BY COMPANIES
OTHER THAN EXEMPTED COMPANIES

The fees payable by a Company other than an exempted Company shall be as follows:

1. Upon the filing of the memorandum and articles of association of the Company (section 25(4) of the Ordinance)—
 - (a) where the nominal share capital does not exceed \$275
 - (b) where the nominal share capital exceeds \$50,000 but does not exceed \$100,000 \$450
 - (c) where the nominal share capital exceeds \$100,000 but does not exceed \$750,000 \$550
 - (d) where the nominal share capital exceeds \$750,000 but does not exceed \$2,000,000 \$1,050
 - (e) where the nominal share capital exceeds \$2,000,000 \$2,050
2. Upon the filing of the annual list of members (section 39 (1) of the Ordinance) \$250

SCHEDULE II

*(Regulation 3)*FEES PAYABLE BY PROPOSED EXEMPTED COMPANIES
AND EXEMPTED COMPANIES

The fees payable by proposed exempted companies and exempted companies shall be as follows:

1. Subject to paragraph 2, upon applying for registration as an exempted Company (section 184 of the Ordinance)—
 - (a) where the nominal share capital does not exceed \$5,000 \$100
 - (b) where the nominal share capital exceeds \$5,000 but does not exceed \$50,000 \$100 and one *per centum* of the amount by which the nominal share capital exceeds \$5,000
 - (c) where the nominal share capital exceeds \$50,000 but does not exceed \$100,000 \$550 and one-half of one *per centum* of the amount by which the nominal share capital exceeds \$50,000
 - (d) where the nominal share capital exceeds \$100,000 but does not exceed \$1,000,000 \$800 and one-tenth of one *per centum* of the amount by which the nominal share capital exceeds \$100,000
 - (e) where the nominal share capital exceeds \$1,000,000 \$1,700
2. Notwithstanding paragraph 1, where application for registration as an exempted Company is made by a foreign Company under section 205 of the Ordinance, the fee payable by such Company shall be \$150.
3. Annual fees pursuant to section 188 of the Ordinance—
 - (a) from the first day of January 1994 an exempted Company registered between 1 January and 30 June in any year shall pay the first annual fee of \$300 not later than 31 January of the first year following the year of its registration;
 - (b) from the first day of January 1994, an exempted Company registered between 1 July and 31 December in any year shall pay the first annual fee of \$300 not later than 31 January of the second year following the year of its registration;

- (c) except as provided in subparagraphs (a) and (b), and subject to subparagraph (d) of this paragraph, every exempted Company shall pay an annual fee of \$300 not later than 31 January in each year;
- (d) notwithstanding subparagraph (c) of this paragraph, an exempted Company licensed or to be licensed under the Banking Ordinance, the Insurance Ordinance or the Trustees (Licensing) Ordinance, may elect to pay the annual fees in advance at the following rates—

5 years advance payment:	\$ 1,000.00
10 years advance payment:	\$ 1,500.00
20 years advance payment:	\$ 2,000.00

SCHEDULE III

(Regulation 4)

FEE PAYABLE BY ALL COMPANIES

1. There shall be payable by every Company, upon the filing of a notice of increase of the amount of its nominal share capital, a fee of such amount as is equivalent to the difference between—

- (a) in the case of a Company other than an exempted Company—
 - (i) the fees which would have been payable by the Company under subsection (4) of section 25 of the Ordinance had the memorandum of association of the Company, showing the amount of its nominal share capital as increased, been filed on the date on which the notice was filed; and
 - (ii) the fee which would have been payable by the Company under that subsection had the memorandum of association of the Company, showing the amount of its nominal share capital before the increase, been filed on the date on which the notice was filed;
- (b) in the case of an exempted Company—
 - (i) the fee which would have been payable under section 184 of the Ordinance by the Company, as proposed, upon application for registration as an exempted Company, had the application been made on the date on which the notice was filed and the memorandum of association of the Company, as proposed, shown,

on that date, the amount of its nominal share capital as increased; and

- (ii) the fee which would have been payable under that section by the Company, as proposed, upon application for registration as an exempted Company, had the application been made on the date on which the notice was filed and the memorandum of association of the Company, as proposed, shown, on that date, the amount of its nominal share capital before the increase (section 43(2) of the Ordinance).

2. There shall be payable a fee of \$2,500 by every Company applying for the Registrar's authorisation under section 30C(2) of the Ordinance.

3. There shall be payable a fee of \$10 for the provision of information pursuant to section 49(4) of the Ordinance.
