

ACT NO. 33 OF 2020

I assent.

J. K. KONROTE
President

[4 September 2020]

AN ACT**TO AMEND THE COMPANIES ACT 2015**

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Companies (Amendment) Act 2020.

(2) This Act comes into force on a date or dates appointed by the Minister by notice in the Gazette.

Section 388A inserted

2. The Companies Act 2015 is amended after section 388 by inserting the following new section—

“Charitable companies to prepare annual financial statements

388A.—(1) Notwithstanding section 388, a charitable company must prepare financial statements for each applicable financial year.

(2) The Registrar may publish and make publically available any information in relation to the non-compliance of a charitable company, including the names of the directors and members of the company, if the company fails to comply with subsection (1).

(3) In this section—

“charitable company” means a company that receives a donation in a financial year, whether in cash or in kind, from any other person whether locally or from abroad, for a charitable purpose; and

“charitable purpose” has the same meaning given in section 2 of the Charitable Trusts Act 1945.”.

Consequential amendment

3. The Charitable Trusts Act 1945 is amended in section 29A after subsection (2) by inserting the following new subsection—

“(3) The Registrar may publish and make publically available any information in relation to the non-compliance of a charitable trust, including the names of the trustees and board members of the charitable trust, if the charitable trust fails to comply with subsection (1).”.

Passed by the Parliament of the Republic of Fiji this 3rd day of September 2020.