

AS PASSED BY THE RAJYA SABHA
ON THE 12TH DECEMBER, 2011

Bill No. XXVII-C of 2010

THE COMPANY SECRETARIES (AMENDMENT)
BILL, 2011
(AS PASSED BY THE RAJYA SABHA)

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BILL

further to amend the Company Secretaries Act, 1980.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Company Secretaries (Amendment) Act, 2011.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification
5 in the Official Gazette, appoint.

56 of 1980.

2. In the Company Secretaries Act, 1980 (hereinafter referred to as the principal Act), in
section 2, in sub-section (1) —

Amendment of
section 2.

(i) after clause (f), the following clause shall be inserted, namely:—

9 of 1932. 10

'(fa) "firm" shall have the meaning assigned to it in section 4 of the Indian
Partnership Act, 1932, and includes,—

(i) the limited liability partnership as defined in clause (n) of sub-section (1) of section 2 of the Limited Liability Partnership Act, 2008; or 6 of 2009.

(ii) the sole proprietorship,

registered with the Institute;';

(ii) after clause (ga), the following clauses shall be inserted, namely:— 5

'(gb) "partner" shall have the meaning assigned to it in section 4 of the Indian Partnership Act, 1932 or in clause (q) of sub-section (1) of section 2 of the Limited Liability Partnership Act, 2008, as the case may be; 9 of 1932. 6 of 2009.

(gc) "partnership" means—

(A) a partnership as defined in section 4 of the Indian Partnership Act, 1932; or 10 9 of 1932.

(B) a limited liability partnership which has no company as its partner;';

(iii) after clause (j), the following clause shall be inserted, namely:—

'(jj) "sole proprietorship" means an individual who engages himself in the practice of the profession of the company secretaries or offers to perform services referred to in clauses (b) to (f) of sub-section (2);'; 15

Amendment
of section 26.

3. In section 26 of the principal Act, in sub-section (1), the following *Explanation* shall be inserted, namely:—

'*Explanation.*—For the removal of doubts, it is hereby declared that the "company" shall include any limited liability partnership which has company as its partner for the purposes of this section.'. 20

RAJYA SABHA

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(As passed by the Rajya Sabha)