The Companies Act, 2013

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- 470 Sections + 5th Sch + Rules
- 29 chapters
- 22 Levels
- Name (NCA,NAC) (Char etc)
- Type: (Pvt, Pub & Sect) (Limited)
- Concessions: Sec + Sect (Pvt) X
- Applicability
  - Companies
  - Directors
  - Reporting
  - Governance
  - Penalties etc
  - CG compliance

  For contradiction to Prev. companies act.

DEFINITIONS- SEC 2

Abridged prospectus (1)
memorandum containing such **salient features of a prospectus** as may be specified by SEBI regulations.

Accounting standards (2)
means the Ind AS as defined under the Companies (Indian Accounting Standards) Rules, 2015

Actuary (3)
actuary, actuarial and actuarial

Articles (5)
→ AOA of a company as **originally** framed, or
→ as **altered** from time to time, or
→ as **altered** by virtue of any previous company law, or this Act.

Associate company (6)
in relation to another company,
→ means a company in which that other company has a **significant influence** (or test 20% of TVP or profit/loss) but **is not a subsidiary** co.
→ but **not** a **subsidiary** co.
NOTE: Significant influence means parties that have joint control have rights to net assets
NOTE: shares held in fiduciary capacity not counted.

Auditing standards (7)
means the SA or any addendum thereto for companies referred u/s 143(10).

Authorised capital/Nominal capital (8)
means maximum amount of SC authorised by the **AOA.**

Board of Directors/Board (9b)
means the collective **body of directors** of the company.

Body corporate/Corporation (11)
includes a company incorporated u/s India, but does not include

co-op society	any other BC notified by CG.

Book and Paper / Book or Paper (12)
includes BOs, deeds, contracts, writing, documents, minutes and registers maintained on paper/ in a form.

Books of account (13)
means
→ all sums of money received and expended;
→ all sales and purchase of G/S;
→ assets and liabilities; &
→ items of cost in case of company specified u/s 148

Branch office (14)

means any establishment described as such by the company.

Called-up capital (15)
means such part of the capital, which has been called for payment.

Change (16)
Interest or fees created on the **property or assets** of a company or any of its undertakings in both as **security** for a debt/ borrowing.

Chairman/Co-chairman (17)
means a CA as defined in sec 2(1)(b) of the CA Act, 1949 who holds a valid COP.

Chief Executive Officer (CEO) (18)
means an officer of a company, who has been designated as such by it.

Chief Financial Officer (CFO) (19)
means a person appointed as the CFO of a company.

Company (20)
means a company incorporated under this Act or any other previous company law.

Company limited by guarantee (21)
means a company having the liability of its members limited by the AOA to such amount as the member/s may undertake to contribute to the company in the event of its being wound up.

Company limited by shares (22)
means a company having the liability of its members limited by the AOA to the amount unpaid on the shares held by them.

Contribution (23)
means amount to be contributed towards the assets of the company in the event of its being wound up, person holding fully paid-up shares in a company shall be considered as a contributory.

Control (27)
shall include the right to appoint majority of the directors or to control the management or policy decisions exercisable by a person/co acting by virtue of their shareholding or shareholders agreements or voting agreements or management rights or by any other manner.

Debenture (30)
includes debenture stock, bonds or any other instrument of a company evidencing a debt, whether constituting a charge on the assets of the company or not.
Does not include:
→ instruments referred to in Chapter III-D of the RBI Act, 1934; and
→ instrument prescribed by the CG in consultation with the RBI.

Director (34)
means a director appointed to the Board of a company.

Dividend (35)
includes any interim dividend.

Document (36)
→ includes summons, notice, requisition, order, declaration, form & register
→ means and includes information stored in a manner specified in this Act or under any other law
→ maintained on paper or in a form.

Employees' stock option (37)
means the option given to the directors, officers or employees of a C-H-S if any, giving them a right to purchase or to purchase/subscribe the shares
→ at a future date,
→ at a pre determined price.

Equity (38)
includes an engineer, a valuer, a CS, a CMA and any other person who has the power/authority to issue a directions/opinion/idea/advice, in pursuance of any provisions of this Act.

Financial statement (40)

Financial year (41)

Sec 2(41)
Year
Ex
Ex
Ex