

"special licence" means a special licence issued under section 3;

"special licensee" means the holder of a special licence.

Issue and cancellation of special licence.

3.—(1) For the purpose of this Ordinance the Governor acting in his discretion may grant to a company which is incorporated or registered in the Islands a special licence to permit such company to exercise the powers and perform the functions and have the privileges hereafter in this Ordinance provided. When such a special licence has been issued and is still in force no other licence shall be issued to any other company under the provisions of this section:

Provided that no special licence shall be issued to any company of which more than ten *per centum* of the issued share capital is represented by bearer securities transferable by delivery only.

(2) A special licence granted under subsection (1) shall be issued subject to such conditions, and shall be valid for such period (not exceeding ten years in the first instance) as may be specified therein:

Provided that, if the Governor is satisfied that an extension of the term of a special licence is in the public interest, the period of validity of a special licence may be extended by the Governor from time to time, subject to such further or altered conditions as the Governor may determine, for such further period or periods, not exceeding five years at any one time, as the Governor may direct.

(3) Any company which desires to obtain a special licence shall apply to the Governor for the same and shall supply such particulars of its officers and of its shareholding and any other relevant information as the Governor may require. If any such application by a company is refused by the Governor no reason shall be given for such refusal and no appeal shall lie from such refusal.

(4) Notwithstanding the provisions of subsection (2) the Governor may at any time cancel a special licence—

(a) if he is satisfied that the licence was obtained as a result of misleading, false or fraudulent

ent representations, or in consequence of any incorrect information (whether such information was supplied wilfully or otherwise);

(b) if the special licensee has failed to perform any of its obligations imposed under the provisions of this Ordinance or is in breach of any condition imposed under the terms of the special licence;

(c) if any officer of the company, or person responsible for the management of any office or premises of the company has been convicted (whether within or without the Islands), and has not successfully appealed against that conviction, of any offence punishable by imprisonment for six months or longer without the option of a fine, whether or not that penalty or some lesser penalty was in fact imposed in the particular case, or of any offence against the customs laws of the Islands or of any other country;

(d) if any director of the company has become bankrupt or has made an arrangement with his creditors;

(e) if he considers that it is in the public interest so to do:

Provided that prior to the cancellation of a special licence in any case under the provisions of paragraph (a), (b), (c), (d), or (e), the Governor shall inform the special licensee in writing of the grounds upon which it is considered that the special licence ought to be cancelled and shall give the special licensee an opportunity to show cause, within a specific time, why the licence should not be cancelled. If the special licensee fails to make representations within the specified time or if the representations made are considered by the Governor to be inadequate, the Governor may cancel the special licence and no appeal shall lie from any decision so to do, except upon the grounds of failure to comply with the requirements of this subsection, in which case an appeal shall lie to the Supreme Court.

4. A special licence shall not be assignable except with the prior consent of the Governor and subject to such conditions (if any) as the Governor may determine.

Restriction on assignment of special licence.