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## SCHEDULES

### SCHEDULE 18

Section 144(4).

#### “SUBSIDIARY” AND RELATED EXPRESSIONS: CONSEQUENTIAL AMENDMENTS AND SAVINGS

##### *Coal Industry Nationalisation Act 1946 (c. 59)*

- 1 In Schedule 2A to the Coal Industry Nationalisation Act 1946 (eligibility for superannuation benefits), in the definition of “subsidiary” in paragraph 5 of the Table, for “section 154 of the Companies Act 1948” substitute “section 736 of the Companies Act 1985”.

##### *Electricity Act 1947 (c. 54)*

- 2 <sup>F1</sup> .....

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#### Textual Amendments

- F1** Sch. 18 paras. 2, 11, 19, 26 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), s. 1\(1\)](#), {Sch. 1 Pt. 17 Group 5}

##### *Landlord and Tenant Act 1954 (c. 56)*

- 3 <sup>F2</sup> .....

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#### Textual Amendments

- F2** Sch. 18 para. 3 repealed (E.W.) (1.6.2004) by [The Regulatory Reform \(Business Tenancies\) \(England and Wales\) Order 2003 \(S.I. 2003/3096\)](#), art. 28(2), [Sch. 6](#)

##### *Transport Act 1962 (c. 46)*

- 4 In the Transport Act 1946, in the definition of “subsidiary” in section 92(1) (interpretation) omit the words “(taking references in that section to a company as being references to a body corporate)”.

##### *Harbours Act 1964 (c. 40)*

- 5 In section 57(1) of the Harbours Act 1964 (interpretation), in the definition of “marine work” for “section 154 of the Companies Act 1948” substitute “section 736 of the Companies Act 1985”.

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*General Rate Act 1967 (c. 9)*

- 6 In section 32A of the General Rate Act 1967 (rateable premises of Transport Boards), in the definition of “subsidiary” in subsection (6) omit the words “(taking references in that section to a company as being references to a body corporate)”.

*Transport Act 1968 (c. 73)*

- F37 .....

**Textual Amendments**

- F3** Sch. 18 para. 7 repealed (1.1.1996) by 1995 c. 23, s. 60(2), **Sch. 8 Pt.I** (with ss. 54, 55); S.I. 1995/2181, **art.2**

*Post Office Act 1969 (c. 48)*

- 8 In section 86 of the Post Office Act 1969 (interpretation), in subsection (2) for “736(5)(b)” substitute “ 736 ”.

*Industry Act 1972 (c. 63)*

- 9 In section 10 of the Industry Act 1972 (construction credits), in subsection (9) for “for the purposes of the Companies Act 1985 by section 736 of that Act” substitute “ by section 736 of the Companies Act 1985 ”.

*Coal Industry Act 1973 (c. 8)*

- 10 F4 .....

**Textual Amendments**

- F4** Sch. 18 para. 10 repealed (27.3.2004) by 1994 c. 21, ss. 67, 68(3)(b)(c), **Sch. 11 Pt. IV** (with ss. 40(7), 66); S.I. 2004/144, **art. 3**

*Industry Act 1975 (c. 68)*

- 11 F5 .....

**Textual Amendments**

- F5** Sch. 18 paras. 2, 11, 19, 26 repealed (22.7.2004) by **Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)**, {Sch. 1 Pt. 17 Group 5}

*Scottish Development Agency Act 1975 (c. 69)*

- [F6]12 In section 25(1) of the Scottish Development Agency Act 1975 (interpretation), in the definition of “wholly-owned subsidiary” for “section 736(5)(b)” substitute “ section 736 ”.]

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**Textual Amendments**

- F6** Sch. 18 para. 12 repealed (1.4.1991) by [Enterprise and New Towns \(Scotland\) Act 1990 \(c. 35, SIF 64\)](#), s. 38(2), [Sch. 5 Part I](#)

*Welsh Development Agency Act 1975 (c. 70)*

- 13 In section 27(1) of the Welsh Development Agency Act 1975 (interpretation), in the definition of “wholly-owned subsidiary” for “section 736(5)(b)” substitute “section 736”.

*Restrictive Trade Practices Act 1976 (c. 41)*

- <sup>F7</sup>14 .....

**Textual Amendments**

- F7** Sch. 18 para. 14 repealed (1.3.2000) by [S.I. 2000/311](#), [art. 24\(b\)](#)

*Industrial Common Ownership Act 1976 (c. 78)*

- 15 In section 2(5) of the Industrial Common Ownership Act 1976 (common ownership and co-operative enterprises) for “for the purposes of the Companies Act 1985” substitute “as defined by section 736 of the Companies Act 1985 or for the purposes of”.

*Aircraft and Shipbuilding Industries Act 1977 (c. 3)*

- <sup>F8</sup>16 .....

**Textual Amendments**

- F8** Sch. 18 para. 16 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(r), [Sch. 23 para. 9\(3\)](#)

*Nuclear Industry (Finance) Act 1977 (c. 7)*

- 17 In section 3 of the Nuclear Industry (Finance) Act 1977 (expenditure on acquisition of shares in National Nuclear Corporation Ltd and subsidiaries), after “within the meaning of” insert “section 736 of”.

*Coal Industry Act 1977 (c. 39)*

- 18 <sup>F9</sup> .....

**Textual Amendments**

- F9** Sch. 18 para. 18 repealed (27.3.2004) by [1994 c. 21](#), ss. 67, 68, [Sch. 11 Pt.III](#) (with ss. 40(7), 66); [S.I. 2004/144](#), [art. 2](#), [Sch.](#)

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*Shipbuilding (Redundancy Payments) Act 1978 (c. 11)*

19 F10 .....

**Textual Amendments**

**F10** Sch. 18 paras. 2, 11, 19, 26 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), s. 1\(1\)](#), {Sch. 1 Pt. 17 Group 5}

*Capital Gains Tax Act 1979 (c. 14)*

F11 20 .....

**Textual Amendments**

**F11** Sch. 18 para. 20 repealed (6.3.1992 with effect as mentioned in s. 289(1)(2) of the repealing Act) by [Taxation of Chargeable Gains Act 1992 \(c. 12\), ss. 289, 290, Sch.12](#) (with s. 201(3), Sch. 11 paras. 20, 22, 26(2), 27)

*Crown Agents Act 1979 (c. 43)*

21 In section 31(1) of the Crown Agents Act 1979 (interpretation), in the definition of “wholly-owned subsidiary” for “section 736(5)(b)” substitute “ section 736(2) ”.

*Competition Act 1980 (c. 21)*

22 In sections 11(3)(f) and 12 of the Competition Act 1980 (references relating to public bodies, &c.), after “within the meaning of” insert “ section 736 of ”.

*British Aerospace Act 1980 (c. 26)*

23 In section 14(1) of the British Aerospace Act 1980 (interpretation)—  
 (a) in the definition of “subsidiary” for “the same meaning as in the Companies Act 1948”, and  
 (b) in the definition of “wholly-owned subsidiary” for “the same meaning as it has for the purposes of section 150 of the Companies Act 1948”,  
 substitute “ the meaning given by section 736 of the Companies Act 1985 ”.

*Local Government, Planning and Land Act 1980 (c. 65)*

24 In sections 100(1), 141(7) and 170(1)(d) and (2) of the Local Government, Planning and Land Act 1980 (which refer to wholly-owned subsidiaries) for “within the meaning of section 736(5)(b)” substitute “ as defined by section 736 ”.

*British Telecommunications Act 1981 (c. 38)*

25 In section 85 of the British Telecommunications Act 1981 (interpretation), for subsection (2) substitute—

“(2) Any reference in this Act to a subsidiary or wholly-owned subsidiary shall be construed in accordance with section 736 of the Companies Act 1985.”.

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*Transport Act 1981 (c. 56)*

26 F12 .....

**Textual Amendments**

**F12** Sch. 18 paras. 2, 11, 19, 26 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), s. 1\(1\)](#), {Sch. 1 Pt. 17 Group 5}

*Value Added Tax Act 1983 (c. 55)*

F13 27 .....

**Textual Amendments**

**F13** Sch. 18 para. 27 repealed (1.9.1994) by [1994 c. 23, ss. 100\(2\), 101\(1\)](#), [Sch.15](#) (with [Sch. 13 para. 2](#))

*Telecommunications Act 1984 (c. 12)*

[F14]28 In section 73(1) of the Telecommunications Act 1984 (interpretation of Part V), for “the same meaning as in” substitute “the meaning given by section 736 of”.]

**Textual Amendments**

**F14** Sch. 18 para. 28 repealed (25.7.2003 for specified purposes, 29.12.2003 for further specified purposes) by [Communications Act 2003 \(c. 21\), ss. 406\(7\), 408, 411, Sch. 19\(1\)](#) (with transitional provisions in [Sch. 18](#)); [S.I. 2003/1900, art. 1\(2\), 2\(1\), 3\(1\), Sch. 1](#) (with [art. 3\(2\)](#) (as amended (8.12.2003) by [S.I. 2003/3142, art. 1\(3\)](#))); [S.I. 2003/3142, art. 3\(2\)](#) (with [art. 11](#))

*London Regional Transport Act 1984 (c. 32)*

29 In section 68 of the London Regional Transport Act 1984 (interpretation), for the definition of “subsidiary” substitute—

““subsidiary” (subject to section 62 of this Act) has the meaning given by section 736 of the Companies Act 1985;”.

*Inheritance Tax Act 1984 (c. 51)*

- 30 (1) The Inheritance Tax Act 1984 is amended as follows.
- (2) In section 13 (dispositions by close companies for benefit of employees), in the definition of “subsidiary” in subsection (5) for “the same meaning as in” substitute “ the meaning given by section 736 of”.
- (3) In section 103 (introductory provisions relating to relief for business property), in subsection (2) for “the same meanings as in” substitute “ the meanings given by section 736 of”.
- (4) In section 234 (interest on instalments) in subsection (3) for “within the meaning of” substitute “ as defined in section 736 of”.

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*Ordnance Factories and Military Services Act 1984 (c. 59)*

31 In section 14 of the Ordnance Factories and Military Services Act 1984 (interpretation), for the definitions of “subsidiary” and “wholly-owned subsidiary” substitute—

““subsidiary” and “wholly-owned subsidiary” have the meanings given by section 736 of the Companies Act 1985.”.

*Companies Act 1985 (c. 6)*

F1532 .....

**Textual Amendments**

**F15** Sch. 18 paras. 32-38 repealed (1.10.2007 for the repeal of Sch. 18 paras. 34-36, 1.10.2009 in so far as not already in force) by Companies Act 2006 (c. 46) ss. 1295, s. 1300(2), **Sch. 16**; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 3 para. 48 ( and as amended by S.I. 2007/2607, arts. 1, 4 and S.I. 2007/3495, arts. 2(6), 11, Sch. 5 para. 2(3)-(7)) and subject to Sch.1) ); S.I. 2008/2860, art. 4, Sch. 1 Pt. 1 (with arts. 7, 8, Sch. 2) (which transitional provisions in Sch. 2 are amended (1.10.2009) by S.I. 2009/2476, arts. 1(3), 2(3)(4) and by S.I. 2009/1802, arts. 1, 18, Sch.)

F1533 .....

**Textual Amendments**

**F15** Sch. 18 paras. 32-38 repealed (1.10.2007 for the repeal of Sch. 18 paras. 34-36, 1.10.2009 in so far as not already in force) by Companies Act 2006 (c. 46) ss. 1295, s. 1300(2), **Sch. 16**; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 3 para. 48 ( and as amended by S.I. 2007/2607, arts. 1, 4 and S.I. 2007/3495, arts. 2(6), 11, Sch. 5 para. 2(3)-(7)) and subject to Sch.1) ); S.I. 2008/2860, art. 4, Sch. 1 Pt. 1 (with arts. 7, 8, Sch. 2) (which transitional provisions in Sch. 2 are amended (1.10.2009) by S.I. 2009/2476, arts. 1(3), 2(3)(4) and by S.I. 2009/1802, arts. 1, 18, Sch.)

F1534 .....

**Textual Amendments**

**F15** Sch. 18 paras. 32-38 repealed (1.10.2007 for the repeal of Sch. 18 paras. 34-36, 1.10.2009 in so far as not already in force) by Companies Act 2006 (c. 46) ss. 1295, s. 1300(2), **Sch. 16**; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 3 para. 48 ( and as amended by S.I. 2007/2607, arts. 1, 4 and S.I. 2007/3495, arts. 2(6), 11, Sch. 5 para. 2(3)-(7)) and subject to Sch.1) ); S.I. 2008/2860, art. 4, Sch. 1 Pt. 1 (with arts. 7, 8, Sch. 2) (which transitional provisions in Sch. 2 are amended (1.10.2009) by S.I. 2009/2476, arts. 1(3), 2(3)(4) and by S.I. 2009/1802, arts. 1, 18, Sch.)

F1535 .....

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F1536 .....

**Textual Amendments**

**F15** Sch. 18 paras. 32-38 repealed (1.10.2007 for the repeal of Sch. 18 paras. 34-36, 1.10.2009 in so far as not already in force) by Companies Act 2006 (c. 46) ss. 1295, s. 1300(2), Sch. 16; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 3 para. 48 ( and as amended by S.I. 2007/2607, arts. 1, 4 and S.I. 2007/3495, arts. 2(6), 11, Sch. 5 para. 2(3)-(7)) and subject to Sch.1) ); S.I. 2008/2860, art. 4, Sch. 1 Pt. 1 (with arts. 7, 8, Sch. 2) (which transitional provisions in Sch. 2 are amended (1.10.2009) by S.I. 2009/2476, arts. 1(3), 2(3)(4) and by S.I. 2009/1802, arts. 1, 18, Sch.)

F1537 .....

**Textual Amendments**

**F15** Sch. 18 paras. 32-38 repealed (1.10.2007 for the repeal of Sch. 18 paras. 34-36, 1.10.2009 in so far as not already in force) by Companies Act 2006 (c. 46) ss. 1295, s. 1300(2), Sch. 16; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 3 para. 48 ( and as amended by S.I. 2007/2607, arts. 1, 4 and S.I. 2007/3495, arts. 2(6), 11, Sch. 5 para. 2(3)-(7)) and subject to Sch.1) ); S.I. 2008/2860, art. 4, Sch. 1 Pt. 1 (with arts. 7, 8, Sch. 2) (which transitional provisions in Sch. 2 are amended (1.10.2009) by S.I. 2009/2476, arts. 1(3), 2(3)(4) and by S.I. 2009/1802, arts. 1, 18, Sch.)

F1538 .....

**Textual Amendments**

**F15** Sch. 18 paras. 32-38 repealed (1.10.2007 for the repeal of Sch. 18 paras. 34-36, 1.10.2009 in so far as not already in force) by Companies Act 2006 (c. 46) ss. 1295, s. 1300(2), Sch. 16; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 3 para. 48 ( and as amended by S.I. 2007/2607, arts. 1, 4 and S.I. 2007/3495, arts. 2(6), 11, Sch. 5 para. 2(3)-(7)) and subject to Sch.1) ); S.I. 2008/2860, art. 4, Sch. 1 Pt. 1 (with arts. 7, 8, Sch. 2) (which transitional provisions in Sch. 2 are amended (1.10.2009) by S.I. 2009/2476, arts. 1(3), 2(3)(4) and by S.I. 2009/1802, arts. 1, 18, Sch.)

*Transport Act 1985 (c. 67)*

39 In section 137(1) of the Transport Act 1985 (interpretation), in the definition of “subsidiary” for the words from “as defined” to the end substitute “ within the meaning of section 736 of the Companies Act 1985 as originally enacted (and not as substituted by section 144(1) of the Companies Act 1989); ”.

*Housing Act 1985 (c. 68)*

40 In section 622 of the Housing Act 1985 (minor definitions: general), in the definition of “subsidiary” for “the same meaning as in” substitute “ the meaning given by section 736 of ”.

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*Housing Associations Act 1985 (c. 69)*

- 41 In section 101 of the Housing Associations Act 1985 (minor definitions: Part II), in the definition of “subsidiary” for “the same meaning as in” substitute “ the meaning given by section 736 of ”.

*Atomic Energy Authority Act 1986 (c. 3)*

- 42 In section 9 of the Atomic Energy Authority Act 1986 (interpretation), in the definition of “subsidiary” and “wholly-owned subsidiary” for “have the same meaning as in” substitute “ have the meaning given by section 736 of ”.

*Airports Act 1986 (c. 31)*

- 43 In section 82 of the Airports Act 1986 (general interpretation), in the definition of “subsidiary” for “has the same meaning as in” substitute “ has the meaning given by section 736 of ”.

*Gas Act 1986 (c. 44)*

- 44 In the Gas Act 1986—
- (a) in section 48(1) (interpretation of Part I), in the definitions of “holding company” and “subsidiary”, and
  - (b) in section 61(1) (interpretation of Part II), in the definition of “subsidiary”, for “has the same meaning as in” substitute “ has the meaning given by section 736 of ”.

*Building Societies Act 1986 (c. 53)*

- 45 In section 119 of the Building Societies Act 1986 (interpretation), in the definition of “subsidiary” for “has the same meaning as in” substitute “ has the meaning given by section 736 of ”.

*Income and Corporation Taxes Act 1988 (c. 1)*

- 46 F16 .....

**Textual Amendments**

**F16** Sch. 18 para. 46 repealed (6.4.2003 with effect as mentioned in s. 723(1)(a)(b) of the amending Act (subject to Sch. 7)) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), ss. 723(1), 724, [Sch. 8 Pt. 1](#)

*British Steel Act 1988 (c. 35)*

- 47 In section 15(1) of the British Steel Act 1988 (interpretation), in the definition of “subsidiary” for “has the same meaning as in” substitute “ has the meaning given by section 736 of ”.



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**Changes and effects yet to be applied to :**

- Sch. 18 para. 1 repealed by [1994 c. 21 Sch. 11 Pt. 3](#)