

SCHEDULES

SCHEDULE 2

PROVISIONS RELATING TO CARRYING OUT OF APPROVED SCHEME OF REORGANISATION

Statutory accounts

5.—(1) The following provisions of this paragraph have effect for the purpose of any statutory accounts of a successor body, that is to say, a body to which property, rights or liabilities of the Board are transferred under Article 14.

(2) The transfer to the successor body under Article 14 shall be taken to have been effected immediately after the end of the last complete accounting period of the Board to end before the date of the transfer under that Article and—

- (a) in a case where all the property, rights and liabilities of the Board are transferred to the successor body under that Article, to have been a transfer of all the property, rights and liabilities to which the Board was entitled or subject immediately before the end of that period;
- (b) in any other case, to have been a transfer of such of the property, rights and liabilities to which the Board was so entitled or subject as are determined by or under the scheme of reorganisation.

(3) The value of any asset and the amount of any liability which is taken by virtue of subparagraph (2) to have been transferred to the successor body shall be taken to have been—

- (a) in a case where all the property, rights and liabilities of the Board are transferred to the successor body under Article 14, the value or amount assigned to the asset or liability for the purposes of the statement of accounts prepared by the Board in respect of the last complete accounting period of the Board to end before the date of the transfer under that Article;
- (b) in any other case, the value or amount so assigned or, if the asset or liability is part only of an asset or liability to which a value or amount is so assigned, so much of that value or amount as may be determined by or under the scheme of reorganisation.

(4) The amount to be included in respect of any item shall be determined—

- (a) where all the property, rights and liabilities of the Board are transferred to the successor body under Article 14, as if anything done by the Board (whether by way of acquiring, revaluing or disposing of any asset or incurring, revaluing or discharging any liability, or by carrying any amount to any provision or reserve, or otherwise) had been done by the successor body;
- (b) in any other case, as if so much of anything done by the Board (as mentioned in paragraph (a)) as may be determined by or under the scheme of reorganisation had been done by the successor body.

(5) Without prejudice to the generality of the preceding provisions, the amount to be included from time to time in any reserves of the successor body as representing its accumulated realised profits shall be determined—

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- (a) where all the property, rights and liabilities of the Board are transferred to the successor body under Article 14, as if any profits realised and retained by the Board had been realised and retained by the successor body;
 - (b) in any other case, as if such proportion of any such profits as is determined by or under the scheme of reorganisation had been realised and retained by the successor body.
- (6) In this paragraph—
- “accounting period”, in relation to the Board, means the period by reference to which it prepares accounts under the 1989 Scheme;
 - “the scheme of reorganisation” means the scheme of reorganisation under which the transfer to the successor body takes place;
 - “statutory accounts” in relation to a successor body, means any accounts prepared for the purpose of any provision of the legislation under which the body is registered.