

## SCHEDULES

### SCHEDULE 5

#### MISCELLANEOUS MATTERS TO BE DISCLOSED IN NOTES TO COMPANY ACCOUNTS

##### PART II

###### SHAREHOLDINGS IN COMPANIES ETC. OTHER THAN SUBSIDIARIES

- 7 If at the end of its financial year the company holds shares of any class comprised in the equity share capital of another body corporate (not being its subsidiary) exceeding in nominal value one-tenth of the nominal value of the allotted shares of that class, there shall be stated—
- (a) the name of that other body corporate and—
    - (i) if it is incorporated in Great Britain and if it is registered in England and Wales and the company is registered in Scotland (or vice versa), the part of Great Britain in which it is registered, and
    - (ii) if it is incorporated outside Great Britain, the country in which it is incorporated ;
  - (b) the identity of the class and the proportion of the nominal value of the allotted shares of that class represented by the shares held ; and
  - (c) if the company also holds shares in that other body corporate of another class (whether or not comprised in its equity share capital), or of other classes (whether or not so comprised), the like particulars as respects that other class or (as the case may be) those other classes.
- 8 If at the end of its financial year the company holds shares comprised in the share capital of another body corporate (not being its subsidiary) exceeding in nominal value one-tenth of the allotted share capital of that other body, there shall be stated—
- (a) with respect to that other body corporate, the same information as is required by paragraph 7(a), and
  - (b) the identity of each class of such shares held and the proportion of the nominal value of the allotted shares of that class represented by the shares of that class held by the company.
- 9 If at the end of its financial year the company holds shares in another body corporate (not being its subsidiary) and the amount of all shares in it which the company holds (as stated or included in the company's accounts) exceeds one-tenth of the amount of the company's assets (as so stated), there shall be stated—
- (a) with respect to the other body corporate, the same information as is required by paragraph 7(a), and
  - (b) in relation to shares in that other body corporate of each class held, the identity of the class and the proportion of the nominal value of the allotted shares of that class represented by the shares held.

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*Status: This is the original version (as it was originally enacted).*

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- 10 None of the foregoing provisions of this Part requires the disclosure by a company of information with respect to another body corporate if that other is incorporated outside the United Kingdom or, being incorporated in the United Kingdom, carries on business outside it if the disclosure would, in the opinion of the company's directors, be harmful to the business of the company or of that other body and the Secretary of State agrees that the information need not be disclosed.
- 11 If at the end of its financial year the company falls within paragraph 7 or 8 in relation to more bodies corporate than one, and the number of them is such that, in the directors' opinion, compliance with either or both of those paragraphs would result in particulars of excessive length being given, compliance with paragraph 7 or (as the case may be) paragraph 8 is not required except in the case of the bodies carrying on the businesses the results of the carrying on of which (in the directors' opinion) principally affected the amount of the profit or loss of the company or the amount of its assets.
- 12 If advantage is taken of paragraph 11, there must be included in the statement dealing with the bodies last mentioned in that paragraph the information that it deals only with them ; and section 231(3) of this Act (subsequent disclosure in annual return) applies to the particulars given in compliance with paragraph 7 or 8 (as the case may be), together with those which, but for the fact that advantage is so taken, would have to be so given.
- 13 For purposes of this Part, shares of a body corporate are treated as held, or not held, by another such body if they would, by virtue of section 736(4) of this Act (but on the assumption that paragraph (b)(ii) were omitted from that subsection) be treated as being held or (as the case may be), not held by that other body for the purpose of determining whether the first-mentioned body is its subsidiary.