



Companies Act 1989

1989 CHAPTER 40

PART X

MISCELLANEOUS AND GENERAL PROVISIONS

General

212 Repeals

The enactments mentioned in Schedule 24 are repealed to the extent specified there.

213 Provisions extending to Northern Ireland

- (1) The provisions of this Act extend to Northern Ireland so far as they amend, or provide for the amendment of, an enactment which so extends.
- (2) So far as any provision of this Act amends the Companies Act 1985 or the Insolvency Act 1986, its application to companies registered or incorporated in Northern Ireland is subject to section 745(1) of the Companies Act 1985 or section 441(2) of the Insolvency Act 1986, as the case may be.
- (3) In Part III (investigations and powers to obtain information), sections 82 to 91, (powers exercisable to assist overseas regulatory authorities) extend to Northern Ireland.
- (4) Part VI (mergers and related matters) extends to Northern Ireland.
- (5) In Part VII (financial markets and insolvency) the following provisions extend to Northern Ireland—
 - (a) sections 154 and 155 (introductory provisions and definition of “market contract”),
 - (b) section 156 and Schedule 21 (additional requirements for recognition of investment exchange or clearing house),
 - (c) sections 157, 160, 162, and 166 to 169 (provisions relating to recognised investment exchanges and clearing houses),

Status: This is the original version (as it was originally enacted).

- (d) sections 170 to 172 (power to extend provisions to other financial markets),
 - (e) section 184 (indemnity for certain acts), and
 - (f) sections 185 to 191 (supplementary provisions).
- (6) Part VIII (amendments of Financial Services Act 1986) extends to Northern Ireland.
- (7) Part IX (transfer of securities) extends to Northern Ireland.

Subject to any Order made after the passing of this Act by virtue of section 3(1)(a) of the Northern Ireland Constitution Act 1973, the transfer of securities shall not be a transferred matter for the purposes of that Act but shall for the purposes of section 3(2) be treated as specified in Schedule 3 to that Act.

- (8) In Part X (miscellaneous and general provisions), this section and sections 214 to 216 (general provisions) extend to Northern Ireland.
- (9) Except as mentioned above, the provisions of this Act do not extend to Northern Ireland.

214 Making of corresponding provision for Northern Ireland

- (1) An Order in Council under paragraph 1(1)(b) of Schedule 1 to the Northern Ireland Act 1974 (legislation for Northern Ireland in the interim period) which contains a statement that it is only made for purposes corresponding to the purposes of provisions of this Act to which this section applies—
- (a) shall not be subject to paragraph 1(4) and (5) of that Schedule (affirmative resolution of both Houses of Parliament), but
 - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (2) The provisions of this Act to which this section applies are—
- (a) Parts I to V, and
 - (b) Part VII, except sections 156, 157, 169 and Schedule 21.

215 Commencement and transitional provisions

- (1) The following provisions of this Act come into force on Royal Assent—
- (a) in Part V (amendments of company law), section 141 (application to declare dissolution of company void);
 - (b) in Part VI (mergers)—
 - (i) sections 147 to 150, and
 - (ii) paragraphs 2 to 12, 14 to 16, 18 to 20, 22 to 25 of Schedule 20, and section 153 so far as relating to those paragraphs;
 - (c) in Part VIII (amendments of the Financial Services Act 1986), section 202 (offers of short-dated debentures);
 - (d) in Part X (miscellaneous and general provisions), the repeals made by Schedule 24 in sections 71, 74, 88 and 89 of, and Schedule 9 to, the Fair Trading Act 1973, and section 212 so far as relating to those repeals.
- (2) The other provisions of this Act come into force on such day as the Secretary of State may appoint by order made by statutory instrument; and different days may be appointed for different provisions and different purposes.

- (3) An order bringing into force any provision may contain such transitional provisions and savings as appear to the Secretary of State to be necessary or expedient.
- (4) The Secretary of State may also by order under this section amend any enactment which refers to the commencement of a provision brought into force by the order so as to substitute a reference to the actual date on which it comes into force.

216 Short title

This Act may be cited as the Companies Act 1989.