

## SCHEDULES

### SCHEDULE 16

Section 107.

#### AMENDMENTS CONSEQUENTIAL ON PART IV

##### *Land Charges Act 1972 (c. 61)*

- 1 (1) Section 3 of the Land Charges Act 1972 (registration of land charges) is amended as follows.
- (2) In subsection (7) (registration in companies charges register to have same effect as registration under that Act), for “any of the enactments mentioned in subsection (8) below” substitute “Part XII, or Chapter III of Part XXIII, of the Companies Act 1985 (or corresponding earlier enactments)”.
- (3) In subsection (8) for “The enactments” substitute “The corresponding earlier enactments” and at the end insert “as originally enacted”.

##### *Companies Act 1985 (c. 6)*

- 2 (1) Schedule 24 to the Companies Act 1985 (punishment of offences) is amended as follows.
- (2) For the entries relating to sections 399(3) to 423(3) (offences under Part XII: registration of charges) substitute—

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“398(3)	Company failing to deliver particulars of charge to registrar.	1. On indictment. 2. Summary.	A fine. The statutory maximum.
408(3)	Company failing to deliver particulars of taking up of issue of debentures.	Summary.	One-fifth of the statutory maximum.
409(4)	Failure to give notice to registrar of appointment of receiver or manager, or of his ceasing to act.	Summary.	One-fifth of the statutory maximum.
410(4)	Failure to comply with requirements of regulations under s.410.	Summary.	One-fifth of the statutory maximum.
411(4)	Failure to keep copies of charging instruments or	1. On indictment. 2. Summary.	A fine. The statutory maximum.

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*Status: This is the original version (as it was originally enacted).*

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	register at registered office.		
412(4)	Refusing inspection of charging instrument or register or failing to supply copies.	Summary.	One-fifth of the statutory maximum.”.
(3) After the entry relating to section 703(1) insert—			
“703D(5)	Oversea company failing to deliver particulars of charge to registrar.	1. On indictment. 2. Summary.	A fine. The statutory maximum.”

*Insolvency Act 1986 (c. 45)*

- 3 (1) The Insolvency Act 1986 is amended as follows.
- (2) In section 9(3) (restrictions on making administration order where administrative receiver has been appointed), in paragraph (b) (exceptions) insert—
- “(i) be void against the administrator to any extent by virtue of the provisions of Part XII of the Companies Act 1985 (registration of company charges),”;
- and renumber the existing sub-paragraphs as (ii) to (iv).
- (3) In sections 45(5), 53(2), 54(3) and 62(5) (offences of failing to deliver documents relating to appointment or cessation of appointment of receiver) omit the words “and, for continued contravention, to a daily default fine”.

*Company Directors Disqualification Act 1986 (c. 46)*

- 4 In Schedule 1 to the Company Directors Disqualification Act 1986 (matters relevant to determining unfitness of directors), in paragraph 4 (failure of company to comply with certain provisions), for sub-paragraph (h) substitute—
- “(h) sections 398 and 703D (duty of company to deliver particulars of charges on its property).”.