

SCHEDULES

SCHEDULE 2

CONTROL OF LOANS ETC TO PERMITTED PARTICIPANTS

Persons with whom certain registered parties may enter into loan agreements etc

- 12 (1) This paragraph applies to a variation of a regulated transaction if—
- (a) the regulated transaction was entered into by a permitted participant during the referendum period,
 - (b) the permitted participant is a registered party that is not a minor party,
 - (c) one of the other parties to the regulated transaction is an authorised participant in relation to the transaction by virtue of paragraph 10 of this Schedule, and
 - (d) the variation has the effect of increasing the value of the regulated transaction or enabling it to be increased.
- (2) It does not matter for the purposes of sub-paragraph (1)(d) when the variation is entered into or when the increase takes effect or could take effect.
- (3) The variation is to be treated for the purposes of sections 71I(2) to (4) of the 2000 Act as a regulated transaction in which another participant is not an authorised participant.
- (4) An order made under section 71I(4) of the 2000 Act in relation to a variation to which this paragraph applies may in particular—
- (a) require that any amount owed as a result of the variation be repaid (and that no further sums be advanced under the terms of the variation);
 - (b) where any additional security is provided under the terms of the variation, require that security to be discharged.
- (5) In this paragraph—
- (a) “authorised participant” means an authorised participant for the purposes of Part 4A of the 2000 Act;
 - (b) “regulated transaction” and references to the value of a regulated transaction have the same meaning as in Part 4A of the 2000 Act (see sections 71F and 71G of that Act).