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STATUTORY INSTRUMENTS

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**1990 No. 438**

**COMPANIES**

**The Companies (Unregistered Companies)  
(Amendment) Regulations 1990**

<i>Made</i>	- - - -	<i>5th March 1990</i>
<i>Laid before Parliament</i>		<i>7th March 1990</i>
<i>Coming into force</i>	- -	<i>1st April 1990</i>

The Secretary of State, in exercise of the powers conferred by section 718 of and Schedule 22 to the Companies Act 1985<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Companies (Unregistered Companies) (Amendment) Regulations 1990 and shall come into force on 1st April 1990.

2. The Companies (Unregistered Companies) Regulations 1985<sup>(2)</sup> are hereby amended as follows:

(a) in regulation 6(h), sub-paragraph (iv) shall be omitted, and there shall be inserted after regulation 6(h) the following paragraph:

“(hh) Schedule 5 to the Act shall have effect as if paragraphs 10 and 29 were omitted.”<sup>(3)</sup>;

(b) in regulation 6(i), for the words from “paragraph 13(3)” to “were” there shall be substituted the words “paragraph 13(4) was”<sup>(4)</sup>;

(c) in the entry in the Schedule relating to Part VII:

(i) after the words “Part VII” and before the word “with” there shall be substituted the words “(except sections 252 and 253),”; and

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(1) 1985 c. 6; the entries in Schedule 22 relating to Parts III and IV of the Companies Act 1985 were repealed by section 212(3) of and Schedule 17 to the Financial Services Act 1986 (c. 60) and by article 5 of and Schedule 4 to S.I. 1986/2246 to the extent to which they would apply in relation to any investment which is listed or the subject of an application for listing in accordance with Part IV of the 1986 Act, and Schedule 22 was further amended by provisions contained in the Companies Act 1989 (c. 40).

(2) S.I. 1985/680.

(3) Paragraph 75 of Schedule 4 to the 1985 Act was repealed by section 212 of and Schedule 24 to the 1989 Act and was re-enacted as paragraphs 10 and 29 of Schedule 5 to the 1985 Act by section 6(2) of and Schedule 3 to the 1989 Act.

(4) Paragraphs 13(3) and 31 of Schedule 9 to the 1985 Act were omitted by section 18(3) and (4) of, and paragraphs 2 and 11 of Part I of Schedule 7 to, the 1989 Act.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (ii) in column 1, for “paragraphs 2, 7 and 8” there shall be substituted “paragraphs 2 to 2B, 7 and 8”(5) and for “Schedule 10” there shall be substituted “Schedules 10 and 10A”(6); and
- (d) in the entry in the Schedule relating to Part XI:
  - (i) in column 1, for “sections 384 to 393” there shall be substituted “sections 384 to 394A (except sections 385A, 386 and 393)”(7); and
  - (ii) in column 2, the word “qualifications” shall be omitted(8).

5th March 1990

*John Redwood*  
Parliamentary Under-Secretary of State  
Department of Trade and Industry

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- (5) New paragraphs 2 to 2B of Schedule 7 to the 1985 Act were substituted for paragraph 2 by section 8(2) of and paragraph 3 of Schedule 5 to the 1989 Act.
  - (6) New Schedule 10 to the 1985 Act was substituted by section 18(5) of and Schedule 8 to the 1989 Act, and new Schedule 10A was inserted by section 21(2) of and Schedule 9 to the 1989 Act; Schedule 22 to the 1985 Act was amended accordingly by section 23 of and paragraph 23 of Schedule 10 to the 1989 Act.
  - (7) New sections 384 to 394A of the 1985 Act were substituted for sections 384 to 393 by sections 118 to 123 of the 1989 Act; Schedule 22 to the 1985 Act was amended accordingly by section 123(5) of the 1989 Act.
  - (8) The word “qualifications” in the entry in column 2 of Schedule 22 to the 1985 Act relating to sections 384 to 393 was repealed by section 212 of and Schedule 24 to the 1989 Act.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

The Companies (Unregistered Companies) (Amendment) Regulations 1985 applied certain provisions of the Companies Act 1985 to unregistered companies.

These Regulations amend the 1985 Regulations to reflect the amendments made by the Companies Act 1989 to those 1985 Act provisions which relate to the preparation of accounts and reports and to the appointment and removal of auditors. The amendments to these provisions were brought into force by the Companies Act 1989 (Commencement No. 4 and Transitional and Saving Provisions) Order 1990 (S.I.1990/355) with effect from 1st April 1990, subject to the transitional and saving provisions provided in that Order.