
STATUTORY INSTRUMENTS

1991 No. 488

**The Companies Act 1989 (Commencement No. 9
and Saving and Transitional Provisions) Order 1991**

Transitional provisions relating to section 126 of Act

3.—(1) Notwithstanding the repeal of sections 709(2) and (3) of the Companies Act 1985, as originally enacted, by the bringing into force by this Order of section 126 of the 1989 Act, section 709(2) and (3), as originally enacted, shall continue to have effect, with the modifications set out in paragraph (2) below, to the extent that the repeal of section 709(2) and (3) by section 212(3) of, and Part I of Schedule 17 to, the Financial Services Act 1986⁽¹⁾ has not been brought into force by Order under section 211 of that Act.

(2) Section 709(2), as originally enacted, shall continue to have effect by virtue of this article as if the reference therein to the “rights conferred by subsection (1) of this section” was a reference to the rights conferred by section 709(1) of the Companies Act 1985 as inserted by section 126 of the 1989 Act; and the reference to those rights in section 709(3), as originally enacted, shall be construed accordingly.