
STATUTORY INSTRUMENTS

1996 No. 2827

FINANCIAL SERVICES

**The Open-Ended Investment Companies (Investment
Companies with Variable Capital) Regulations 1996**

Made - - - - 11th November 1996

Coming into force 6th January 1997

**THE OPEN-ENDED INVESTMENT COMPANIES (INVESTMENT
COMPANIES WITH VARIABLE CAPITAL) REGULATIONS 1996**

PART I

GENERAL

1. Citation, commencement and extent
2. Interpretation

PART II

FORMATION, SUPERVISION AND CONTROL

General

3. Investment company with variable capital
4. Registration by registrar of companies
5. Safekeeping of scheme property by depository
6. SIB regulations

Authorisation

7. Applications for authorisation
8. Particulars of directors
9. Authorisation
10. Criteria for authorisation
11. Representations against refusal of authorisation
12. UCITS certificate

Registrar's approval of names

13. Registrar's approval of names

14. Prohibition on certain names

Alterations

15. SIB approval for certain changes in respect of company

Intervention

16. Revocation of authorisation
17. Representations against revocation
18. Directions
19. Notice of directions
20. Applications to the court

Investigations

21. Investigations: functions of Secretary of State and SIB
22. Investigations: powers and duties of inspectors
23. Investigations: disclosure
24. Investigations: supplementary

Winding up

25. Winding up by the court
26. Dissolution on winding up by the court
27. Dissolution in other circumstances

PART III

CORPORATE CODE

Organs

28. Directors
29. Directors to have regard to interests of employees
30. Inspection of directors' service contracts
31. General meetings
32. Capacity of company
33. Power of directors and general meeting to bind the company
34. No duty to enquire as to capacity etc
35. Exclusion of deemed notice
36. Restraint and ratification by shareholders
37. Events affecting company status
38. Invalidity of certain transactions involving directors

Shares

39. Shares
40. Share certificates
41. Exceptions from regulation 40
42. Bearer shares
43. Register of shareholders
44. Power to close register
45. Power of court to rectify register
46. Share transfers

Operation

47. Power incidental to carrying on business
48. Name to appear in correspondence etc
49. Particulars to appear in correspondence etc
50. Contracts: England and Wales
51. Execution of documents: England and Wales
52. Execution of deeds overseas: England and Wales
53. Authentication of documents: England and Wales
54. Official seal for share certificates
55. Personal liability for contracts and deeds
56. Exemptions from liability to be void
57. Power of court to grant relief in certain cases
58. Punishment for fraudulent trading
59. Power to provide for employees on cessation or transfer of business

Reports

60. Reports: preparation
61. Reports: accounts
62. Reports: voluntary revision
63. Auditors

Mergers and divisions

64. Mergers and divisions

PART IV

MISCELLANEOUS

65. Notifications to registrar of companies
 66. Contraventions
 67. Prosecutions
 68. Offences: bodies corporate, partnerships and unincorporated associations
 69. Time limits for prosecution of offences
 70. Jurisdiction and procedure in respect of offences
 71. Service of documents
 72. Evidence of grant of probate etc
 73. SIB's functions under the Regulations
 74. Fees
 75. Minor and consequential amendments
- Signature

SCHEDULES

Schedule 1 — Application of Part XXIV of the 1985 Act.

Schedule 2 — Depositaries.

Schedule 3 — Instrument of incorporation.

Schedule 4 — Register of shareholders.

Status: *This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

Schedule 5 — Share transfers.

Schedule 6 — Auditors.

Schedule 7 — Mergers and divisions.

Schedule 8 — Minor and consequential amendments.

Explanatory Note