

SCHEDULE 2

TRANSITIONAL PROVISIONS AND SAVINGS

Registration of companies not formed under companies legislation (ss. 1040 to 1042)

93.—(1) The provisions of Chapter 1 of Part 33 of the Companies Act 2006 (registration of companies not formed under companies legislation) apply to applications for registration received by the registrar on or after 1st October 2009.

(2) Any application for registration under those provisions received by the registrar before that date shall not be entertained.

(3) The provisions of Chapter 2 of Part 22 of the 1985 Act or Chapter 2 of Part 22 of the 1986 Order continue to apply to an application for registration if—

(a) it is received by the registrar, and

(b) the requirements as to registration are met in relation to it,

before 1st October 2009.

(4) Any application for registration under that Act or Order in relation to which the requirements as to registration are not met before that date shall be treated as withdrawn.

(5) On an application to which sub-paragraph (1) above applies a resolution agreed to, or other thing done, before 1st October 2009 may be relied on for the purpose of meeting the requirements of the Companies Act 2006.

(6) For the purposes of section 1297(3) of the Companies Act 2006 (continuity of the law) as it applies to treat the registration of a company under Chapter 2 of Part 22 of the 1985 Act or Chapter 2 of Part 22 of the 1986 Order as if done under the corresponding provision of the Companies Act 2006, the registration of a company on an application to which sub-paragraph (3) above applies is to be regarded as in force and effective immediately before the commencement of Chapter 1 of Part 33 of the Companies Act 2006.