

## SCHEDULE 8

Regulation 80

### TRANSITIONAL PROVISIONS AND SAVINGS

#### PART 1

##### INTRODUCTION

###### **Interpretation**

**1.** In this Schedule—

“the 1985 Act” means the Companies Act 1985;

“the 1986 Order” means the Companies (Northern Ireland) Order 1986;

“the register” means the records kept by the registrar relating to overseas companies;

“the registrar” means the registrar of companies for England and Wales, Scotland or Northern Ireland.

###### **Registration of returns and documents delivered before 1st October 2009**

**2.—**(1) The provisions of Chapter 1 of Part 23 of the 1985 Act or Chapter 1 of Part 23 of the 1986 Order (overseas companies: registration etc) continue to have effect on and after 1st October 2009 so far as necessary for the purposes of the registration of returns or other documents delivered to the registrar before that date.

(2) References in this Schedule to matters appearing on the register, or to documents held by the registrar, immediately before 1st October 2009 include any such return or other document that is subsequently registered.

#### PART 2

##### INITIAL REGISTRATION OF PARTICULARS

###### **Company with existing registered branch**

**3.—**(1) An overseas company that immediately before 1st October 2009—

(a) had a branch in the United Kingdom, and

(b) had complied in respect of that branch with the requirements of paragraph 1(1) to (3) of Schedule 21A to the 1985 Act or paragraph 1(1) to (3) of Schedule 20A to the 1986 Order,

is treated as having complied in respect of that branch with the requirements of Part 2 of these Regulations (initial registration of particulars).

(2) Paragraphs 4 to 8 supplement sub-paragraph (1) and provide for particular things done under the 1985 Act or 1986 Order to be treated as if done under the corresponding provision of these Regulations.

**4.—**(1) The following particulars about the company, as they appeared on the register immediately before 1st October 2009, are treated as if delivered and registered under regulation 6(1)—

(a) the company’s name;

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- (b) the company's legal form;
  - (c) if it is registered in the country of its incorporation, the identity of the register in which it is registered and the number with which it is so registered;
  - (d) the list of its directors and secretaries, together with—
    - (i) with respect to each director, the particulars specified in sub-paragraph (3), and
    - (ii) with respect to each secretary, the particulars specified in sub-paragraph (4);
  - (e) the extent of the powers of the directors to represent the company in dealings with third parties and in legal proceedings, together with a statement as to whether they may act alone or must act jointly and, if jointly, the name of any other person concerned;
  - (f) whether the company is a credit or financial institution.
- (2) In the case of a company that is not incorporated in an EEA State, the following particulars about the company, as they appeared on the register immediately before 1st October 2009, are treated as delivered and registered under regulation 6(2)—
- (a) the law under which the company is incorporated;
  - (b) in the case of—
    - (i) a company to which Chapter 2 of Part 5 of these Regulations applies (companies required to prepare and disclose accounts under parent law), or
    - (ii) a company to which Chapter 2 of Part 6 of these Regulations applies (institutions required to prepare accounts under parent law),the period for which the company is required by its parent law to prepare accounts, together with the period allowed for the preparation and public disclosure (if any) of accounts for such a period;
  - (c) unless disclosed by the company's constitution (see paragraph 6)—
    - (i) the address of its principal place of business in its country of incorporation or, if applicable, its registered office,
    - (ii) its objects, and
    - (iii) the amount of its issued share capital.
- (3) The particulars referred to in sub-paragraph (1)(d)(i) (directors) are—
- (a) in the case of an individual—
    - (i) name,
    - (ii) any former name,
    - (iii) service address,
    - (iv) usual residential address,
    - (v) nationality,
    - (vi) business occupation (if any), and
    - (vii) date of birth;
  - (b) in the case of a body corporate, or a firm that is a legal person under the law by which it is governed—
    - (i) corporate or firm name, and
    - (ii) registered or principal office.
- (4) The particulars referred to in sub-paragraph (1)(d)(ii) (secretaries) are—
- (a) in the case of an individual—

- (i) name,
  - (ii) any former name, and
  - (iii) service address;
- (b) in the case of a body corporate, or a firm that is a legal person under the law by which it is governed—
- (i) corporate or firm name, and
  - (ii) registered or principal office.

(5) For the purposes of sub-paragraph (1)(f) the statement whether the company is an institution to which section 699A of the 1985 Act or Article 648A of the 1986 Order applies is treated as a statement whether the company is a credit or financial institution as defined for the purposes of these Regulations.

(6) For the purposes of sub-paragraphs (3)(a)(iii) and (4)(a)(iii) the individual's usual residential address as registered immediately before 1st October 2009 is treated as a service address.

**5.—(1)** The following particulars about the branch, as they appeared on the register immediately before 1st October 2009, are treated as if delivered and registered under regulation 7—

- (a) the address of the branch,
- (b) the date on which it was opened,
- (c) the business carried on at it,
- (d) the name of the branch (if different from the company's name),
- (e) the name and service address of every person resident in the United Kingdom authorised to accept service of documents on behalf of the company in respect of the branch, or a statement that there is no such person,
- (f) the list of persons authorised to represent the company as a permanent representative of the company in respect of the branch, together with the following particulars of each such person—
  - (i) name,
  - (ii) any former name,
  - (iii) service address, and
  - (iv) usual residential address,
- (g) the extent of the authority of any person falling within paragraph (f), including whether that person is authorised to act alone or jointly, and
- (h) if a person falling within paragraph (f) is not authorised to act alone, the name of any person with whom they are authorised to act.

(2) For the purposes of sub-paragraph (1)(e) and (f)(iii), the individual's usual residential address as registered immediately before 1st October 2009 is treated as a service address.

**6.—(1)** The certified copy of the company's constitution delivered under paragraph 5(a) of Schedule 21A to the 1985 Act or paragraph 5(a) of Schedule 20A to the 1986 Order, as held by the registrar immediately before 1st October 2009, is treated as if delivered and registered under regulation 8(1).

(2) Any certified translation delivered under paragraph 5(b) of Schedule 21A to that Act or paragraph 5(b) of Schedule 20A to that Order, as held by the registrar immediately before 1st October 2009, is treated as if delivered under regulation 8(1) in accordance with regulation 78 of these Regulations.

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(3) The following, as they appeared on the register immediately before 1st October 2009, are treated as if delivered and registered under regulation 8(2)—

- (a) any statement under paragraph 1(3)(b) of Schedule 21A to the 1985 Act or paragraph 1(3)(b) of Schedule 20A to the 1986 Order to the effect that a copy of the company's constitution is included in the material delivered in respect of another branch;
- (b) the registered number of that other branch.

7.—(1) Copies of accounting documents delivered under paragraph 6(1)(a) of Schedule 21A to the 1985 Act or paragraph 6(1)(a) of Schedule 20A to the 1986 Order, if not superseded by the delivery of copies of accounting documents for a subsequent financial period, are treated as if delivered and registered under regulation 9(1).

(2) A certified translation of any such document delivered under paragraph 6(1)(b) of Schedule 21A to that Act or paragraph 6(1)(b) of Schedule 20A to that Order is treated as if delivered under regulation 9(1) in accordance with regulation 78.

(3) The following, as they appeared on the register immediately before 1st October 2009, are treated as if delivered and registered under regulation 9(2)—

- (a) any statement under paragraph 1(3)(b) of Schedule 21A to the 1985 Act or paragraph 1(3)(b) of Schedule 20A to the 1986 Order to the effect that copies of accounting documents are included in the material registered in respect of another branch;
- (b) the registered number of that other branch.

8.—(1) If the company is one to which Chapter 2 of Part 5 of these Regulations applies (companies required to prepare and disclose accounts under parent law), the following, as they appeared on the register immediately before 1st October 2009, are treated as if delivered and registered under regulation 10—

- (a) the statement in the return in respect of a branch whether it is intended to file copies of accounting documents in respect of that branch or in respect of another branch;
- (b) if the return states that it is intended to file copies of accounting documents in respect of another branch, the registered number of that branch.

(2) The statement of intention with respect to the registration of documents under paragraph 2(2) or 10(1) of Schedule 21D to the 1985 Act or paragraph 2(2) or 10(1) of Schedule 20D to the 1986 Order shall be read as a statement of intention with respect to the filing of copies of accounting documents under Chapter 2 of Part 5 of these Regulations.

### **Company with existing registered place of business**

9.—(1) An overseas company that immediately before 1st October 2009—

- (a) had a place of business (other than a branch) in the United Kingdom, and
- (b) had delivered to the registrar in respect of that place of business the documents required by section 691(1) of the 1985 Act or Article 641(1) of the 1986 Order,

is treated as having complied in respect of that place of business with the requirements of Part 2 of these Regulations (initial registration of particulars).

(2) Paragraphs 10 to 12 below supplement sub-paragraph (1) and provide for particular things done under the 1985 Act or 1986 Order to be treated as if done under the corresponding provision of these Regulations.

10.—(1) The following particulars about the company, as they appeared on the register immediately before 1st October 2009, are treated as if delivered and registered under regulation 6(1)—

- (a) the company's name;
  - (b) the list of the company's directors and secretaries together with—
    - (i) with respect to each director, the particulars specified in sub-paragraph (2), and
    - (ii) with respect to each secretary, the particulars specified in sub-paragraph (3).
- (2) The particulars referred to in sub-paragraph (1)(b)(i) (directors) are—
- (a) in the case of an individual—
    - (i) name,
    - (ii) any former name,
    - (iii) service address,
    - (iv) usual residential address,
    - (v) nationality,
    - (vi) business occupation (if any), and
    - (vii) date of birth;
  - (b) in the case of a body corporate or a firm that is a legal person under the law by which it is governed—
    - (i) its corporate or firm name, and
    - (ii) its registered or principal office.
- (3) The particulars referred to in sub-paragraph (2)(b)(ii) (secretaries) are—
- (a) in the case of an individual—
    - (i) name,
    - (ii) any former name, and
    - (iii) service address;
  - (b) in the case of a body corporate or a firm that is a legal person under the law by which it is governed—
    - (i) its corporate or firm name, and
    - (ii) its registered or principal office.
- (4) For the purposes of sub-paragraph (1)(a) the company's name is treated as registered immediately before 1st October 2009 if it then appeared in the index maintained under section 714 of the 1985 Act or Article 663 of the 1986 Order (the registrar's index of company and corporate names).
- (5) For the purposes of sub-paragraphs (2)(a)(iii) and (3)(a)(iii), the individual's usual residential address as registered immediately before 1st October 2009 is treated as a service address.
- 11.—(1)** The following particulars about the place of business, as they appeared on the register immediately before 1st October 2009, are treated as registered under regulation 7—
- (a) the date on which the place of business was opened, and
  - (b) the name and service address of one or more persons resident in the United Kingdom authorised to accept service of documents on behalf of the company.
- (2) For the purposes of sub-paragraph (1)(b) an individual's usual residential address as registered immediately before 1st October 2009 is treated as a service address.

**12.**—(1) The certified copy of the company’s constitution delivered under section 691(1)(a) of the 1985 Act or Article 641(1)(a) of the 1986 Order, as held by the registrar immediately before 1st October 2009, is treated as if delivered and registered under regulation 8(1).

(2) Any certified translation delivered under section 691(1)(a) of the 1985 Act or Article 641(1)(a) of the 1986 Order, as held by the registrar immediately before 1st October 2009, is treated as if delivered under regulation 8(1) in accordance with regulation 78.

### **Duty to deliver transitional return**

**13.**—(1) Where paragraph 3 or 9 applies in relation to an establishment, the company must deliver to the registrar not later than 31st March 2010 a transitional return in respect of the establishment.

(2) The return must contain such of the particulars specified in regulation 6 (particulars of the company) as are not treated as registered in respect of the establishment by virtue of paragraph 3 or 9. Regulation 5(2) (reference to particulars included in those delivered in respect of another UK establishment) applies in relation to the return required by this paragraph as in relation to a return under Part 2 of these Regulations.

(3) The return must contain such of the particulars specified in regulation 7 (particulars of the establishment) as are not treated as registered by virtue of paragraph 5 or 11.

(4) If the company is one to which Part 5 of these Regulations applies (delivery of accounting documents: general), the return must—

- (a) make any statement required by regulation 10 (statement as to future manner of compliance with accounting requirements) that is not treated as made by virtue of paragraph 8, and
- (b) if the company states that it intends to file copies of accounting documents, or accounts, in respect of another UK establishment, give the registered number of that establishment.

(5) If the company is one to which Chapter 2 of Part 5 of these Regulations applies (companies required to prepare and disclose accounts under parent law), the return must, as regards any document specified in regulation 9(1) (copies of accounting documents) that is not treated as delivered by virtue of paragraph 7, either—

- (a) be accompanied by the document, or
- (b) make the statement specified in regulation 9(3) (statement that document included in those delivered in respect of another UK establishment).

(6) Sub-paragraph (5) does not apply if the company is required by its parent law to prepare and disclose accounts made up to a date before 1st October 2010.

### **Company with existing unregistered branch or place of business**

**14.**—(1) An overseas company that immediately before 1st October 2009—

- (a) had a branch in the United Kingdom in respect of which it had not complied with paragraph 1(1) to (3) of Schedule 21A to the 1985 Act or paragraph 1(1) to (3) of Schedule 20A to the 1986 Order,
- (b) had a place of business (other than a branch) in the United Kingdom in respect of which it had not complied with section 691 of the 1985 Act or Article 641 of the 1986 Order,

is treated for the purposes of these Regulations as if it had opened that establishment on 1st October 2009.

(2) This does not affect any liability under section 697(1) or (3) of the 1985 Act or Article 647(1) or (3) of the 1986 Order (penalties for non-compliance) in respect of failure to comply with the provisions mentioned in sub-paragraph (1)(a) or (b) before 1st October 2009.

## PART 3

### ALTERATIONS TO REGISTERED PARTICULARS

#### **Alteration to registered particulars**

**15.**—(1) The provisions of the 1985 Act or 1986 Order relating to alterations of registered particulars continue to apply in relation to an alteration made before 1st October 2009.

(2) Those provisions are—

- (a) in the case of a company subject to section 690A of the 1985 Act or Article 640A of the 1986 Order (branch registration under the 11th Company Law Directive), paragraph 7(1) (b) of Schedule 21A to that Act or paragraph 7(1)(b) of Schedule 20A to that Order;
- (b) in the case of a company to which section 691 of the 1985 Act or Article 641 of the 1986 Order (registration of place of business other than branch) applies, section 692(1)(b) and (c) and (2) of that Act or Article 642(1)(b) and (c) and (2) of that Order.

(3) If a return giving the particulars of the alteration required by the 1985 Act or 1986 Order is duly delivered on or after 1st October 2009, Part 2 of this Schedule (initial registration of particulars) applies as if it had been delivered and registered immediately before that date.

(4) Regulation 13 (return of alteration in registered particulars) applies to alterations made on or after 1st October 2009.

#### **Alteration in company's constitution**

**16.**—(1) The provisions of the 1985 Act or 1986 Order relating to alterations of the company's constitution continue to apply in relation to an alteration made before 1st October 2009.

(2) Those provisions are—

- (a) in the case of a company subject to section 690A of the 1985 Act or Article 640A of the 1986 Order (branch registration under the 11th Company Law Directive), paragraph 7(1) (a) of Schedule 21A to that Act or paragraph 7(1)(a) of Schedule 20A to that Order;
- (b) in the case of a company to which section 691 of the 1985 Act or Article 641 of the 1986 Order (registration of place of business other than branch) applies, section 692(1)(a) of that Act or Article 642(1)(a) of that Order.

(3) If the following are duly delivered on or after 1st October 2009—

- (a) a return giving the particulars of the alteration required by the 1985 Act or 1986 Order,
- (b) a certified copy of the company's constitution as altered, and
- (c) any certified translation required by the 1985 Act or 1986 Order,

Part 2 of this Schedule (initial registration of particulars) applies as if they had been delivered and registered immediately before that date.

(4) Regulation 14 (return of alteration in company's constitution) applies to alterations made on or after 1st October 2009.

#### **Alteration as regards filing of certified copy of constitution**

**17.**—(1) The provisions of paragraph 8 of Schedule 21A to the 1985 Act or paragraph 8 of Schedule 20A to the 1986 Order (statement that certified copy of company's constitution included in the material registered in respect of another UK branch ceasing to be true) continue to apply where that statement ceased to be true before 1st October 2009.

(2) If there is duly delivered on or after 1st October 2009—

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- (a) a certified copy of the company's constitution and any certified translation required by the 1985 Act or 1986 Order, or
- (b) a return stating that those documents are included in the material registered in respect of another UK branch (giving the registered number of that other branch),

Part 2 of this Schedule (initial registration of particulars) applies as if they had been delivered and registered immediately before that date.

(3) Regulation 15 (return of alteration as regards filing of certified copy of constitution) applies where that statement ceases to be true on or after 1st October 2009.

## PART 4

### RESIDENTIAL ADDRESSES: PROTECTION FROM DISCLOSURE

#### Existing registered residential address treated as service address

**18.**—(1) This paragraph applies where an address that immediately before 1st October 2009 appeared on the register as the usual residential address of a director, secretary or permanent representative of an overseas company is to be treated, on and after that date, as a service address.

(2) Any return of an alteration in any such residential address of a director, secretary or permanent representative of an overseas company occurring before 1st October 2009 that is received by the registrar on or after that date is treated as being or, as the case may be, including notification of a change of service address.

(3) The registrar may make such entries in the register as appear to be appropriate having regard to any provision to the effect mentioned in sub-paragraph (1) and to sub-paragraph (2).

(4) Where a residential address appears in the register as a service address by virtue of this paragraph, that address is not protected information for the purposes of Part 4 of these Regulations.

#### Residential addresses: protection from disclosure

**19.**—(1) Regulation 21 (duty of registrar to omit protected information from material available for inspection) does not apply—

- (a) to material delivered to the registrar before 1st October 2009, or
- (b) to material delivered to the registrar on or after 1st October 2009 by virtue of paragraph 18 (return of alteration occurring before that date).

(2) In regulation 21(2)(b) (exclusion of material registered before commencement) the reference to things registered before 1st October 2009 is treated as including anything registered as a result of a return in accordance with paragraph 18(2) (return on or after 1st October 2009 of alteration occurring before that date).

(3) Sub-paragraphs (1) and (2) have effect subject to paragraph 21 below (which provides for the continued protection of information formerly protected by a confidentiality order).

**20.** In determining under regulation 27 whether to put a director or permanent representative's usual residential address on the public record, the registrar may take into account only—

- (a) communications sent by the registrar on or after 1st October 2009, and
- (b) evidence as to the effectiveness of service coming to the registrar's attention on or after that date.

### **Continuation of protection afforded by confidentiality orders under the 1985 Act**

**21.**—(1) A director or permanent representative of an overseas company in relation to whom a confidentiality order under section 723B of the 1985 Act was in force immediately before 1st October 2009 is treated on and after that date as if—

- (a) they had made an application under regulation 25 (application to prevent disclosure of protected information by registrar to credit reference agency), and
- (b) that application had been determined by the registrar in their favour.

(2) The provisions of Schedule 3 to these Regulations relating to decisions of the registrar in favour of an applicant (in particular, as to the duration and revocation of such a decision) apply accordingly.

(3) As those provisions apply in accordance with this paragraph any reference to an offence under section 1112 of the Companies Act 2006 (general false statement offence) shall be read as a reference to an offence under regulations under section 723E(1)(a) of the 1985 Act in relation to the application for the confidentiality order.

### **Effect of pending application for confidentiality order**

**22.**—(1) Section 723B(3) to (8) of the 1985 Act (application for confidentiality order) continue to apply in relation to an application for a confidentiality order made before 1st October 2009.

(2) Paragraph 21 (continuation of protection afforded by confidentiality orders) applies to an individual in respect of whom such an application has been made, and has not been determined or withdrawn, as to an individual in relation to whom a confidentiality order was in force immediately before that date.

(3) If the application is dismissed or withdrawn, that paragraph ceases to apply.

(4) If the application is successful that paragraph continues to apply as in the case of an individual in relation to whom a confidentiality order was in force immediately before 1st October 2009.

## **PART 5**

### **DELIVERY OF ACCOUNTING DOCUMENTS: GENERAL**

#### **Companies required to prepare and disclose accounts under parent law**

**23.**—(1) This paragraph applies to companies to which Chapter 2 of Part 5 of these Regulations applies (companies required to prepare and disclose accounts under parent law).

(2) The provisions of that Chapter apply in relation to accounting documents first disclosed in accordance with the company's parent law on or after 1st October 2009.

(3) In the case of a company to which section 699AA of the 1985 Act or Article 648AA of the 1986 Order applied (company to which 11th Company Law Directive applies), the provisions of Part 1 of Schedule 21D to that Act or Part 1 of Schedule 20D to that Order continue to apply in relation to accounting documents first disclosed in accordance with the company's parent law before 1st October 2009.

(4) In the case of a company to which section 700 of the 1985 Act or Article 649 of the 1986 Order applied (company with place of business but not branch in UK), the relevant provisions of that Act or Order continue to apply in relation to the period between—

- (a) the end of the last financial year of the company beginning before 1st October 2009, and

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- (b) the beginning of the first financial period of the company in respect of which accounting documents are first disclosed in accordance with the company's parent law on or after that date,

and that period shall be treated as a financial year of the company (if it would otherwise not be) for the purposes of those provisions.

- (5) For the purposes of sub-paragraph (4)—
  - (a) the relevant provisions of the 1985 Act are sections 700 to 703 and the provisions applied by those sections;
  - (b) the relevant provisions of the 1986 Order are Articles 649 to 652 and the provisions applied by those Articles.

### **Companies not required to prepare and disclose accounts under parent law**

**24.**—(1) This paragraph applies to companies to which Chapter 3 of Part 5 of these Regulations applies (companies not required to prepare and disclose accounts under parent law).

(2) The provisions of that Chapter apply in relation to accounting documents for financial years of the company beginning on or after 1st October 2009.

- (3) The provisions of—
  - (a) Part 2 of Schedule 21D to the 1985 Act or Part 2 of Schedule 20D to the 1986 Order (companies to which the 11th Company Law Directive applies), or
  - (b) sections 700 to 702 of that Act or Articles 649 to 652 of that Order (companies with place of business but not branch in the UK),

continue to apply in relation to accounting documents for financial years beginning before that date.

## **PART 6**

### **DELIVERY OF ACCOUNTING DOCUMENTS: CREDIT OR FINANCIAL INSTITUTIONS**

#### **Institutions required to prepare accounts under parent law**

**25.**—(1) This paragraph applies to credit or financial institutions to which Chapter 2 of Part 6 of these Regulations applies (institutions required to prepare accounts under parent law).

- (2) An institution that immediately before 1st October 2009—
  - (a) had a branch in the United Kingdom, and
  - (b) had complied with the requirements of paragraph 2 of Schedule 21C to the 1985 Act or paragraph 2 of Schedule 20C to the 1986 Order,

is treated as having complied with the requirements of regulation 45 (initial filing of copies of accounting documents).

(3) Regulation 46 (filing of copies of subsequent accounting documents) applies in relation to accounting documents first disclosed in accordance with the company's parent law on or after 1st October 2009.

(4) Paragraph 3 of Schedule 21C to the 1985 Act or paragraph 3 of Schedule 20D to the 1986 Order continues to apply in relation to accounting documents first disclosed in accordance with the company's parent law before 1st October 2009.

### **Institutions not require to prepare accounts under parent law**

**26.**—(1) This paragraph applies to credit or financial institutions to which Chapter 3 of Part 6 of these Regulations applies (institutions not required to prepare accounts under parent law).

(2) The provisions of that Chapter apply in relation to accounting documents for financial years of the institution beginning on or after 1st October 2009.

(3) The provisions of Part 2 of Schedule 21C to the 1985 Act or Part 2 of Schedule 20C to the 1986 Order continue to apply in relation to accounting documents for financial years beginning before that date.

## **PART 7**

### **RETURNS IN CASE OF WINDING UP ETC**

#### **Return in case of winding up**

**27.**—(1) Regulation 69 (return in case of winding up) applies in relation to a winding up beginning on or after 1st October 2009.

(2) Section 703P(1) of the 1985 Act or Article 652P(1) of the 1986 Order (particulars to be delivered: winding up) continues to apply in relation to a winding up beginning before that date.

#### **Returns to be made by liquidator**

**28.**—(1) Regulation 70(1) (return of appointment of liquidator) applies in relation to an appointment made on or after 1st October 2009.

(2) Section 703P(3) of the 1985 Act or Article 652P(3) of the 1986 Order continues to apply in relation to an appointment made before that date.

(3) Regulation 70(3) (return by liquidator where winding up terminates or company ceases to be registered) applies where the event concerned occurs on or after 1st October 2009.

(4) Section 703P(5) of the 1985 Act or Article 652P(5) of the 1986 Order continues to apply where the event occurred before that date.

#### **Return in case of insolvency proceedings etc (other than winding up)**

**29.**—(1) Regulation 71 (return of insolvency proceedings etc) applies where the proceedings in question begin on or after 1st October 2009.

(2) Section 703Q of the 1985 Act or Article 652Q of the 1986 Order continues to apply where the proceedings began before that date.

#### **Notice of appointment of judicial factor**

**30.** Regulation 73 (notice of appointment of judicial factor) applies in relation to appointments made on or after 1st October 2009.

## PART 8

### SUPPLEMENTARY PROVISIONS

#### **Saving for provisions as to form or manner in which documents to be delivered**

**31.**—(1) Any saving in this Schedule for the effect of a provision of the 1985 Act or 1986 Order requiring the use of a prescribed form extends to the form and the power under which it is prescribed.

(2) Any saving in this Schedule for the effect of a provision of the 1985 Act or 1986 Order requiring a document to be delivered to the registrar extends to section 707B of the 1985 Act or Article 656B of the 1986 Order (delivery to the registrar using electronic communications) so far as relating to the provision in question and the delivery of documents under it.