

**2009 No. 490 (C. 33)**

**BANKS AND BANKING**

**BUILDING SOCIETIES**

**The Dormant Bank and Building Society Accounts Act 2008  
(Commencement and Transitional Provisions) Order 2009**

Made - - - -

5th March 2009

The Treasury make the following Order in exercise of the powers conferred by section 31 of the Dormant Bank and Building Society Accounts Act 2008(a):

**Citation and interpretation**

1.—(1) This Order may be cited as the Dormant Bank and Building Society Accounts Act 2008 (Commencement and Transitional Provisions) Order 2009.

(2) In this Order “the 2008 Act” means the Dormant Bank and Building Society Accounts Act 2008.

**Commencement of provisions**

2. Parts 1 (transfer of balances in dormant accounts) and 2 (distribution of money under the general scheme) of the 2008 Act come into force on 12th March 2009.

**Transitional provisions**

3.—(1) Until section 1 of the Companies Act 2006 (companies)(b) comes into force, “company” in section 5 of the 2008 Act (functions etc of a reclaim fund) has the meaning given, as respects England and Wales and Scotland, by section 735(1) of the Companies Act 1985 (“company”, etc)(c) and, as respects Northern Ireland, by article 3 of the Companies (Northern Ireland) Order 1986(d).

(2) Until section 31 of the Companies Act 2006 (statement of company’s objects) comes into force, references in section 5 of, and paragraphs 1 and 2 of Schedule 1 (provision to be made in articles of association of reclaim fund) to, the 2008 Act to articles of association are to be read as references to memorandum of association.

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(a) 2008 c.31.  
(b) 2006 c.46.  
(c) 1985 c.6.  
(d) 1986 No.1032 (N.I.6).

5th March 2009

*Bob Blizzard*  
*Frank Roy*  
Two of the Lords Commissioners of Her Majesty's Treasury

### **EXPLANATORY NOTE**

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

This Order brings into force on 12th March 2009 the provisions of the Dormant Bank and Building Society Accounts Act 2008 (c.31) not brought into force when it received Royal Assent.

There are two transitional provisions, which make special provision for the meaning of “company” and “articles of association” until relevant provisions in the Companies Act 2006 (c.46) come into force.

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