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STATUTORY INSTRUMENTS

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**2009 No. 814**

**The Amendments to Law (Resolution of  
Dunfermline Building Society) Order 2009**

**PART 2**

**THE TRANSFER**

**Transfer of shares of Dunfermline Nominees**

**3.—**(1) This article applies in connection with the transfer, by paragraph 3(1) of the Property Transfer Instrument, of shares owned by Dunfermline Building Society which were issued by Dunfermline Nominees, and references in this article to “the transfer” are to be construed accordingly.

(2) Nationwide enjoys the entitlement mentioned in paragraph 3(4) of the Property Transfer Instrument whether or not it is entered in the company register of members of Dunfermline Nominees, notwithstanding any provision of the 2006 Act, the 1985 Act, any other enactment or any rule of law.

(3) Section 776 of the 2006 Act (duty of company as to issue of certificates etc on transfer) has effect in relation to the transfer with the modifications specified in paragraph (4).

(4) The transfer is to be treated as—

- (a) a transfer under subsection (2)(a), and
- (b) lodged with Dunfermline Nominees at the transfer time.

(5) The following provisions of the 2006 Act are disapplied in relation to the transfer—

- (a) section 776(3) and (4) (qualifications as to duty to issue certificates);
- (b) section 777 (issue of certificates etc: cases within the Stock Transfer Act 1982);
- (c) section 778 (issue of certificates etc: allotment or transfer to a financial institution).