

## SCHEDULE 3

Regulation 8

### Consequential amendments

#### **Amendments to the Insolvency Act 1986**

1. In Schedule B1 to the Insolvency Act 1986(1) (administration) omit paragraphs 73(2)(d) (and the “or” immediately before it) and 74(6)(ba).

#### **Amendments to the Employment Tribunals Act 1996**

2. The Employment Tribunals Act 1996(2) is amended in accordance with paragraph 3 and 4.
3. In section 18(1) (conciliation: relevant proceedings etc) omit paragraph (v).
4. In section 21(1) (jurisdiction of Appeal Tribunal) omit paragraph (u).

#### **Amendments to the Employment Rights Act 1996**

5. The Employment Rights Act 1996(3) is amended in accordance with paragraph 6 and 7.
6. In section 105 (redundancy) omit subsection (7K).
7. In section 108(3) (qualifying period of employment) omit paragraph (p).

#### **Amendment to the Employment Act 2002**

8. In Schedule 5 to the Employment Act 2002(4) (tribunal jurisdictions to which section 38 applies), omit the entry relating to regulation 51 of the Companies (Cross-Border Mergers) Regulations 2007.

#### **The Employment Appeal Tribunal Rules 1993**

9. The Employment Appeal Tribunal Rules 1993(5) are amended in accordance with paragraphs 10 to 17.
10. In rule 2(1) (interpretation) omit the definition of “the 2007 Regulations”.
11. In rule 3(1)(d) (institution of appeal) omit “or regulation 57(6) of the 2007 Regulations”.
12. In rule 4(1)(e) (service of notice of appeal) omit “or regulation 57(6) of the 2007 Regulations”.
13. In rule 5(c) (respondents to appeals) omit “or regulation 57(6) of the 2007 Regulations”.
14. In rule 7(1)(e) (disposal of appeal) omit “or regulation 57(6) of the 2007 Regulations”.
15. In rule 16AA (application under regulation 33(6) of the 2004 Regulations) omit “or regulation 53(6) of the 2007 Regulations” and “or regulation 53(4) of the 2007 Regulations”.
16. In rule 26(1) (default by parties), insert “or” after “the 2004 Regulations” and omit “or regulation 53 of the 2007 Regulations”.

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(1) 1986 c. 45; relevant amendments were made by regulations 65(3) and 65(5) of S.I. 2007/2974.

(2) 1996 c. 17; relevant amendments were made by regulation 59(b) of S.I. 2007/2974 and article 2 of S.I. 2014/431.

(3) 1996 c. 18; relevant amendments were made by regulations 48(1)(b) and 48(2)(b) of S.I. 2007/2974 and paragraph 16 of Schedule 2 of S.I. 2010/93.

(4) 2002 c. 22; relevant amendments were made by regulation 63(c) of S.I. 2007/2974.

(5) S.I. 1993/2854; relevant amendments were made by regulation 64(1) to (4) of S.I. 2007/2974.

17. In rule 31(1)(c) (drawing up, reasons for, and enforcement of orders) insert “or” after “the 2004 Regulations” and omit “or regulation 53 of the 2007 Regulations”.

**The Limited Liability Partnerships (Accounts and Audit) (Application of Companies Act 2006) Regulations 2008**

18. The Limited Liability Partnerships (Accounts and Audit) (Application of Companies Act 2006) Regulations 2008(6) are amended in accordance with paragraph 19.

19. In regulation 55 (minor definitions), in the modification of section 1173 of the Act—

(a) in subsection (1), for the definition of “transferable securities” substitute—

““transferable securities” has the meaning given by Article 2.1.24 of Regulation (EU) No. 600/2014 of the European Parliament and of the Council of 15 May 2014 and amending Regulation (EU) No. 648/2012;”;

(b) omit subsection (2).

**The Banking Act 2009 (Parts 2 and 3 Consequential Amendments) Order 2009**

20. The Banking Act 2009 (Parts 2 and 3 Consequential Amendments) Order 2009(7) is amended in accordance with paragraph 21.

21. In the Schedule (legislation subject to the general modifications in Part 2) omit “Companies (Cross-Border Mergers) Regulations 2007”.

**The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009**

22. The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009(8) are amended in accordance with paragraphs 23 to 25.

23. In regulation 18 (requirements for register of members), in the modification of section 164 of the Act, for paragraph (c) substitute—

“(c) in the case of a limited company that is a UK-registered company, the registered number;”.

24. In regulation 31B (key terms)—

(a) in paragraph (3), in the modification of section 790C(7)(b) of the Act, for “regulated market which is situated in an EEA State” substitute “UK regulated market or an EU regulated market”;

(b) in paragraph (6), for the inserted section 790C(12E) of the Act substitute—

“(12E) “EU regulated market”, “Regulated market” and “UK regulated market” have the same meanings as in section 1173 of the Companies Act 2006.”.

25. Omit regulation 46 (cross-border mergers).

**The Companies (Companies Authorised to Register) Regulations 2009**

26. The Companies (Companies Authorised to Register) Regulations 2009(9) are amended in accordance with paragraph 27.

(6) [S.I. 2008/1911](#); relevant amendments were made by paragraph 15(4) of Schedule 3 to [S.I. 2009/1804](#) and regulation 25(2) of [S.I. 2016/575](#).

(7) [S.I. 2009/317](#).

(8) [S.I. 2009/1804](#); relevant amendments were made by regulation 3 and Schedule 1 to [S.I. 2016/340](#) and regulation 24(2)(a) and (3)(c) of [S.I. 2017/693](#).

(9) [S.I. 2009/2437](#).

27. In regulation 18(2) omit sub-paragraph (a).

#### **The Agency Workers Regulations 2010**

28. The Agency Workers Regulations 2010<sup>(10)</sup> are amended in accordance with paragraphs 29 and 30.

29. In Schedule 1 (provisions extending to England and Wales, Scotland and Northern Ireland), omit paragraph 4.

30. In Part 2 of Schedule 2 (consequential amendments), omit paragraphs 39 to 46.

#### **The Investment Bank Special Administration Regulations 2011**

31. The Investment Bank Special Administration Regulations 2011<sup>(11)</sup> are amended in accordance with paragraph 32.

32. In Part 1 of Schedule 6 omit “Companies (Cross-Border Mergers) Regulations 2007” from the list of secondary legislation at the end of paragraph 1.

#### **The Employment Tribunals and the Employment Appeal Tribunal Fees Order 2013**

33. The Employment Tribunals and the Employment Appeal Tribunal Fees Order 2013<sup>(12)</sup> is amended in accordance with paragraph 34.

34. In Schedule 2 (employment tribunals – issue and hearing fee)—

- (a) omit the second row in Table 1; and
- (b) omit row 57 in Table 2.

#### **The Bank Recovery and Resolution (No 2) Order 2014**

35. The Bank Recovery and Resolution (No 2) Order 2014<sup>(13)</sup> is amended in accordance with paragraph 36.

36. Omit article 218 (modified application of legislation on cross-border mergers).

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<sup>(10)</sup> S.I. 2010/93.

<sup>(11)</sup> S.I. 2011/245.

<sup>(12)</sup> S.I. 2013/1893.

<sup>(13)</sup> S.I. 2014/3348.