
WELSH STATUTORY INSTRUMENTS

2004 No. 675

The RTM Companies (Memorandum and Articles of Association) (Wales) Regulations 2004

Name, commencement and application

1.—(1) These Regulations are called the RTM Companies (Memorandum and Articles of Association) (Wales) Regulations 2004 and shall come into force on 31st March 2004.

(2) These Regulations apply to RTM companies⁽¹⁾ in relation to premises⁽²⁾ in Wales.

Form and content of memorandum and articles of association of RTM companies

2.—(1) Subject to paragraph (4) the memorandum of association of a RTM company shall take the form, and include the provisions, set out in Part 1 of Schedule 1 to these Regulations.

(2) Subject to paragraph (4) the articles of association of a RTM company shall take the form, and include the provisions, set out in Part 2 of Schedule 1.

(3) Subject to paragraph (4) the provisions referred to in paragraphs (1) and (2) shall have effect for a RTM company whether or not they are adopted by the company.

(4) Where a RTM company wishes to have either its memorandum of association or its articles of association, or both, in Welsh, those documents shall take the form, and include the provisions respectively set out in Parts 1 and 2 of Schedule 2.

(5) Where —

- (a) a RTM company has adopted a memorandum of association and articles of association before the coming into force of these Regulations; and
- (b) the memorandum and the articles, or either of them, do not comply, as to content, with the requirements of paragraphs (1) and (2) or, in the case of Welsh language documents, paragraph (4),

the memorandum and articles will be treated, on and after the coming into force of these Regulations, as including such of the provisions set out in the Schedule as are required to secure compliance with those requirements (whether in addition to or, as the circumstances require, in substitution for their original content).

(1) For the definition of “RTM company” see sections 71(1) and 73 of the Commonhold and Leasehold Reform Act 2002.

(2) For the premises relevant to RTM companies, see section 72 of, and Schedule 6 to, the Commonhold and Leasehold Reform Act 2002.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3)

9th March 2004

John Marek
The Deputy Presiding Officer of the National
Assembly