
STATUTORY INSTRUMENTS

2011 No. 1265

The Companies Act 2006 (Consequential Amendments and Transitional Provisions) Order 2011

Repeal of the Companies Consolidation (Consequential Provisions) Act 1985 (c.9)

4.—(1) The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009⁽¹⁾ is amended as follows.

(2) In article 12 (saving for earlier consequential amendments, transitional provisions and savings)—

- (a) in paragraph (1) omit the words “the Companies Consolidation (Consequential Provisions) Act 1985 and”;
- (b) in paragraph (2) omit the words “Act or” in each place where they appear.

(3) In Schedule 3 (provisions relating to old public companies)—

- (a) for paragraph 1 (meaning of “old public company”) substitute—

“For the purposes of this Schedule an “old public company” is a company limited by shares, or a company limited by guarantee and having a share capital, in respect of which the following conditions are met—

- (a) the company either existed on 1st July 1983 or was incorporated after that date pursuant to an application made before that date,
- (b) on that date or, if later, on the day of the company’s incorporation, the company was not or (as the case may be) would not have been a private company within the meaning of section 28 of the Companies Act (Northern Ireland) 1960⁽²⁾, and
- (c) the company has not since that date or the day of the company’s incorporation (as the case may be) either been re-registered as a public company within the meaning of Article 12(3) of the Companies (Northern Ireland) Order⁽³⁾ or section 4(2) of the Companies Act 2006 or become a private company within the meaning of Article 12(3) of the Companies (Northern Ireland) Order or section 4(1) of the Companies Act 2006.”;

(b) In paragraph 7 (old public company holding, or having charge on, own shares)—

- (i) in sub-paragraph (3) for “the relevant date” substitute “30th September 1984”;
- (ii) omit sub-paragraph (4).

⁽¹⁾ S.I. 2009/1941.

⁽²⁾ 1960 c.22 (N.I.).

⁽³⁾ S.I. 1986/1032 (N.I.6).