



Companies Consolidation (Consequential Provisions) Act 1985

1985 CHAPTER 9

Old public companies

1 Meaning of " old public company "

- (1) For the purposes of the Companies Act 1985 ("the principal Act") and this Act, an " old public company " is a company limited by shares or by guarantee and having a share capital in respect of which the following conditions are satisfied—
 - (a) the company either existed on 22nd December 1980 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 section 28 of the Companies Act 1948, 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 or become a private company.
- (2) References in the principal Act (other than so much of it as is derived from Part I of the Companies Act 1980, and other than section 33 (penalty for trading under misleading name)) to a public company or a company other than a private company are to be read as including (unless the context otherwise requires) references to an old public company, and references in that Act to a private company are to be read accordingly.