

SCHEDULES

SCHEDULE 3

FINANCIAL STRUCTURE OF SUCCESSOR COMPANIES

Temporary restrictions on borrowing of companies

- 7 (1) If articles of association of a relevant successor company confer on the Secretary of State powers exercisable with the consent of the Treasury for, or in connection with, restricting the sums of money which may be borrowed or raised during any period by the group to which that company belongs, those powers shall be exercisable in the national interest notwithstanding any rule of law and the provisions of any enactment.
- (2) For the purposes of this paragraph an alteration of the articles of association of a relevant successor company shall be disregarded if the alteration—
- (a) has the effect of conferring or extending any such power as is mentioned in sub-paragraph (1) above; and
 - (b) is made at a time when that company has ceased to be wholly owned by the Crown.
- (3) In this paragraph “group”, in relation to a company, means that company and all of its subsidiaries taken together.