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**Changes to legislation:** There are currently no known outstanding effects for the Commonwealth Development Corporation Act 1999, SCHEDULE 1. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 1

Section 2(1).

#### DOCUMENTS TO BE FILED

##### *Memorandum and articles*

- 1 A memorandum of association for the Corporation which—
- (a) complies with the requirements of sections 1 to 3 of the <sup>M1</sup>Companies Act 1985 for the memorandum of a public company limited by shares, and
  - (b) states, as the amount of share capital with which the Corporation proposes to be registered, an amount which equals or exceeds the aggregate nominal value of the shares mentioned in the order under section 1(3)(b) of this Act.

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**Marginal Citations**

**M1** 1985 c. 6.

- 2 Articles of association for the Corporation which comply with the requirements of sections 7 and 8 of the Companies Act 1985 for the articles of a company limited by shares.

##### *Directors, secretary and registered office*

- 3 A statement which—
- (a) names as the Corporation's directors and secretary the persons nominated under section 1(2)(b) and (c) of this Act, and
  - (b) complies with the requirements of section 10(2) to (6) of the Companies Act 1985.

##### *Accounts, &c.*

- 4 (1) A copy of the most recent statement of accounts prepared by the Corporation under section 16(1) of the <sup>M2</sup>Commonwealth Development Corporation Act 1978 (accounts and audit).
- (2) A copy of a report by the auditors appointed under section 16(3) of that Act stating without material qualification their opinion that the accounts were properly prepared in accordance with section 16(1) of that Act.
- (3) For the purposes of sub-paragraph (2) a qualification is material unless the auditors state in the report that the matter giving rise to the qualification is not material for the purpose of paragraph 5.

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**Marginal Citations**

**M2** 1978 c. 2.

- 5 A copy of a statement by the auditors that in their opinion the accounts show that if registration had taken place on the date of the accounts the amount of the Corporation's net assets would have been not less than the aggregate of its called-up share capital and undistributable reserves assuming—
- (a) that shares were allotted as required by the order under section 1(3)(b), and
  - (b) that the Corporation did not give notice of intention to carry on business as an investment company under section 266 of the Companies Act 1985.
- 6 A statement by the Corporation that if registration were to take place at the time of the delivery of documents the amount of the Corporation's net assets would be not less than the aggregate of its called-up share capital and undistributable reserves assuming—
- (a) that shares were allotted as required by the order under section 1(3)(b), and
  - (b) that the Corporation did not give notice of intention to carry on business as an investment company under section 266 of the <sup>M3</sup>Companies Act 1985.

**Marginal Citations**

**M3** 1985 c. 6.

- 7 A copy of the Secretary of State's order under section 1(3).

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