



Companies Act 2006

2006 CHAPTER 46

PART 27

MERGERS AND DIVISIONS OF PUBLIC COMPANIES

CHAPTER 4

SUPPLEMENTARY PROVISIONS

Powers of the court

939 Court to fix date for transfer of undertaking etc of transferor company

- (1) Where the court sanctions the compromise or arrangement, it must—
 - (a) in the order sanctioning the compromise or arrangement, or
 - (b) in a subsequent order under section 900 (powers of court to facilitate reconstruction or amalgamation),fix a date on which the transfer (or transfers) to the transferee company (or transferee companies) of the undertaking, property and liabilities of the transferor company is (or are) to take place.
- (2) Any such order that provides for the dissolution of the transferor company must fix the same date for the dissolution.
- (3) If it is necessary for the transferor company to take steps to ensure that the undertaking, property and liabilities are fully transferred, the court must fix a date, not later than six months after the date fixed under subsection (1), by which such steps must be taken.
- (4) In that case, the court may postpone the dissolution of the transferor company until that date.

Status: This is the original version (as it was originally enacted).

- (5) The court may postpone or further postpone the date fixed under subsection (3) if it is satisfied that the steps mentioned cannot be completed by the date (or latest date) fixed under that subsection.