

SCHEDULE

Regulation 28

REGISTRATION OF CHARGES: TRANSITIONAL PROVISIONS AND SAVINGS

Introduction

1. In this Schedule—

“the 1985 Act” means the Companies Act 1985 ^{M1}; and

“the 1986 Order” means the Companies (Northern Ireland) Order 1986 ^{M2}.

Marginal Citations

M1 1985 c.6.

M2 S.I. 1986/1032 (N.I.6).

Charge created by company

2.—(1) The provisions of Part 12 of the 1985 Act relating to charges created by companies incorporated outside Great Britain continue to apply in relation to charges created before 1st October 2009.

(2) The provisions of Part 13 of the 1986 Order relating to charges created by companies incorporated outside Northern Ireland continue to apply in relation to charges created before 1st October 2009.

(3) The provisions of Part 3 of these Regulations apply to charges created on or after that date.

Charge in series of debentures

3.—(1) The provisions of Part 12 of the 1985 Act relating to the registration of a series of debentures of a company incorporated outside Great Britain continue to apply where the first debenture of the series was executed before 1st October 2009.

(2) The provisions of Part 13 of the 1986 Order relating to the registration of a series of debentures of a company incorporated outside Northern Ireland continue to apply where the first debenture of the series was executed before 1st October 2009.

(3) The provisions of Part 3 of these Regulations apply where the first debenture of the series is executed on or after that date.

Charge on property acquired by company

4.—(1) The provisions of Part 12 of the 1985 Act relating to charges existing on property acquired by a company incorporated outside Great Britain continue to apply to property acquired before 1st October 2009.

(2) The provisions of Part 13 of the 1986 Order relating to charges existing on property acquired by a company incorporated outside Northern Ireland continue to apply to property acquired before 1st October 2009.

Northern Ireland: registration of certain charges etc affecting land

5. Article 408 of the 1986 Order (Northern Ireland: registration of certain charges etc affecting land) continues to apply in relation to a charge against land, or an estate in land, of a company

Changes to legislation: There are currently no known outstanding effects for the The Overseas Companies (Execution of Documents and Registration of Charges) Regulations 2009, SCHEDULE. (See end of Document for details)

incorporated outside Northern Ireland imposed by an order under Article 46 of the Judgments Enforcement (Northern Ireland) Order 1981 made before 1st October 2009.

Registration of enforcement of security

6.—(1) Section 405 of the 1985 Act or Article 413 of the 1986 Order (registration of enforcement of security) continues to apply where the order or appointment is made, or the receiver or manager ceases to act, before 1st October 2009.

(2) Regulation 20 applies where the order or appointment is made, or the receiver or manager ceases to act, on or after that date.

Entries of satisfaction and release

7.—(1) Section 403 or 419 of the 1985 Act or Article 411 of the 1986 Order (entries of satisfaction and release) continues to apply where the relevant statutory declaration, statement or application and statutory declaration or statement is received by the registrar before 1st October 2009.

(2) Regulation 21 applies to statements delivered to the registrar on or after 1st October 2009.

Changes to legislation:

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