
STATUTORY INSTRUMENTS

2011 No. 1265

**The Companies Act 2006 (Consequential
Amendments and Transitional Provisions) Order 2011**

Repeal of the Companies Consolidation (Consequential Provisions) Act 1985 (c.9)

4.—(1) The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009⁽¹⁾ is amended as follows.

(2) In article 12 (saving for earlier consequential amendments, transitional provisions and savings)—

- (a) in paragraph (1) omit the words “the Companies Consolidation (Consequential Provisions) Act 1985 and”;
- (b) in paragraph (2) omit the words “Act or” in each place where they appear.

(3) In Schedule 3 (provisions relating to old public companies)—

- (a) for paragraph 1 (meaning of “old public company”) substitute—

“For the purposes of this Schedule an “old public company” is a company limited by shares, or a company limited by guarantee and having a share capital, in respect of which the following conditions are met—

- (a) the company either existed on 1st July 1983 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 the meaning of section 28 of the Companies Act (Northern Ireland) 1960⁽²⁾, 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 within the meaning of Article 12(3) of the Companies (Northern Ireland) Order⁽³⁾ or section 4(2) of the Companies Act 2006 or become a private company within the meaning of Article 12(3) of the Companies (Northern Ireland) Order or section 4(1) of the Companies Act 2006.”;

(b) In paragraph 7 (old public company holding, or having charge on, own shares)—

- (i) in sub-paragraph (3) for “the relevant date” substitute “30th September 1984”;
- (ii) omit sub-paragraph (4).

⁽¹⁾ S.I. 2009/1941.

⁽²⁾ 1960 c.22 (N.I.).

⁽³⁾ S.I. 1986/1032 (N.I.6).