
STATUTORY INSTRUMENTS

1986 No. 1035 (N.I. 9)

NORTHERN IRELAND

**The Companies Consolidation
(Consequential Provisions)
(Northern Ireland) Order 1986**

Laid before Parliament in draft

Made

23rd June 1986

Coming into Operation

24th September 1986

ARRANGEMENT OF ORDER

Introductory and interpretation

Article

1. Title and commencement.
2. Interpretation.

Old public companies

3. Meaning of "old public company".
4. Re-registration as public company.
5. Conditions for re-registering under Article 4.
6. Old public company becoming private.
7. Failure by old public company to obtain new classification.
8. Shares of old public company held by itself; charges on own shares.
9. Offers of shares and debentures by old public company.
10. Trading under misleading name.
11. Payment for share capital.

Miscellaneous savings

12. Pre-1901 companies limited by guarantee.
13. Company official seal.
14. Share premiums: retrospective relief.
15. Saving, in case of re-issued debentures, of rights of certain mortgagees.
16. Removal of directors appointed for life.
17. Tax-free payments to directors.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

18. Statutory declaration of solvency in voluntary winding up.
19. Effect of floating charge in winding up.
20. Priority of old debts in winding up.
21. Saving as to certain old liquidations.

Miscellaneous amendments

22. Amendments of Insurance Companies Act 1982.
23. Amendments of other statutory provisions.

Repeals, and continuity of law

24. Repeals.
25. Continuity of law.

SCHEDULES:

- Schedule 1—Amendments.
Schedule 2—Repeals.

At the Court at Buckingham Palace, the 23rd day of June 1986

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

1974 c. 28 Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974, and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Introductory and interpretation

Title and commencement

1.—(1) This Order may be cited as the Companies Consolidation (Consequential Provisions) (Northern Ireland) Order 1986.

(2) This Order comes into operation on the expiration of three months from the day on which it is made.

Interpretation

1954 c. 33 (N.I.) **2.**—(1) The Interpretation Act (Northern Ireland) 1954 applies to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

1960 c. 22 (N.I.) “the Act of 1960” means the Companies Act (Northern Ireland) 1960,

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

“the Order of 1981” means the Companies (Northern Ireland) Order 1981,	1981 NI 19
“the Order of 1982” means the Companies (Northern Ireland) Order 1982, and	1982 NI 17
“the principal Order” means the Companies (Northern Ireland) Order 1986;	1986 NI 6

and expressions used in this Order and also in the principal Order have the same meanings in this Order as in that (the provisions of Part I of that Order to apply accordingly).

Old public companies

Meaning of “old public company”

3.—(1) For the purposes of the principal Order and this Order, an “old public company” is a company limited by shares or by guarantee and having a share capital in respect of which the following conditions are satisfied—

- (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 date 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 Act of 1960, and
- (c) the company has not since that date or the date of the company’s incorporation (as the case may be) either been re-registered as a public company or become a private company.

(2) References in the principal Order (other than so much of it as is derived from Part II of the Order of 1981, and other than Article 43 (prohibition on trading under misleading name)) to a public company or a company other than a private company are to be read as including (unless the context otherwise requires) references to an old public company, and references in that Order to a private company are to be read accordingly.

Re-registration as public company

4.—(1) An old public company may be re-registered as a public company if—

- (a) the directors pass a resolution, complying with paragraph (2), that it should be so re-registered, and
- (b) an application for the purpose in the prescribed form and signed by a director or secretary of the company is delivered to the registrar together with the documents mentioned in paragraph (4), and
- (c) at the time of the resolution, the conditions specified in Article 5 are satisfied.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

(2) The resolution must alter the company's memorandum so that it states that the company is to be a public company and make such other alterations in it as are necessary to bring it in substance and in form into conformity with the requirements of the principal Order with respect to the memorandum of a public company.

(3) A resolution of the directors under this Article is subject to Article 388 of the principal Order (copy of resolution to be forwarded to registrar within 15 days).

(4) The documents referred to in paragraph (1)(b) are—

- (a) a printed copy of the memorandum as altered in pursuance of the resolution, and
- (b) a statutory declaration in the prescribed form by a director or secretary of the company that the resolution has been passed and that the conditions specified in Article 5 were satisfied at the time of the resolution.

(5) The registrar may accept a declaration under paragraph 4(b) as sufficient evidence that the resolution has been passed and the necessary conditions were satisfied.

(6) Article 57(1) and (3) to (5) of the principal Order applies on an application for re-registration under this Article as it applies on an application under Article 53 of that Order.

Conditions for re-registering under Article 4

5.—(1) The following are the conditions referred to in Article 4(1)(c) (being conditions also relevant under Article 6).

(2) At the time concerned, the nominal value of the company's allotted share capital must not be less than the authorised minimum (defined in Article 128 of the principal Order).

(3) In the case of all the shares of the company, or of all those of its shares which are comprised in a portion of the share capital which satisfies the condition in paragraph (2)—

- (a) each share must be paid up at least as to one-quarter of the nominal value of that share and the whole of any premium on it;
- (b) where any of the shares in question or any premium payable on them has been fully or partly paid up by an undertaking given by any person that he or another should do work or perform services for the company or another, the undertaking must have been performed or otherwise discharged; and
- (c) where any of the shares in question has been allotted as fully or partly paid up as to its nominal value or any premium payable on it otherwise than in cash, and the consideration for the allotment consists of or includes an undertaking (other than one to which sub-paragraph (b) applies) to the company, then either—

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

- (i) that undertaking must have been either performed or otherwise discharged, or
- (ii) there must be a contract between the company and some person pursuant to which the undertaking is to be performed within 5 years from the time of the resolution.

Old public company becoming private

6.—(1) An old public company may pass a special resolution not to be re-registered under Article 4 as a public company; and Article 64 of the principal Order (litigated objection by shareholders) applies to the resolution as it would apply to a special resolution by a public company to be re-registered as private.

(2) If either—

- (a) 28 days from the passing of the resolution elapse without an application being made under Article 64 of the principal Order (as applied), or
- (b) such an application is made and proceedings are concluded on the application without the court making an order for the cancellation of the resolution,

the registrar shall issue the company with a certificate stating that it is a private company; and the company then becomes a private company by virtue of the issue of the certificate.

(3) For the purposes of paragraph (2)(b), proceedings on the application are concluded—

- (a) except in a case within sub-paragraph (b), when the period mentioned in Article 64(7) of the principal Order (as applied) for delivering an office copy of the court's order under that Article to the registrar has expired, or
- (b) when the company has been notified that the application has been withdrawn.

(4) If an old public company delivers to the registrar a statutory declaration in the prescribed form by a director or secretary of the company that the company does not at the time of the declaration satisfy the conditions specified in Article 5 for the company to be re-registered as public, the registrar shall issue the company with a certificate stating that it is a private company; and the company then becomes a private company by virtue of the issue of the certificate.

(5) A certificate issued to a company under paragraph (2) or (4) is conclusive evidence that the requirements of that paragraph have been complied with and that the company is a private company.

Failure by old public company to obtain new classification

7.—(1) If at any time a company which is an old public company has not delivered to the registrar a declaration under Article 6(4), the company and any officer of it who is in default is guilty of an offence unless at that time the company—

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

- (a) has applied to be re-registered under Article 4, and the application has not been refused or withdrawn, or
- (b) has passed a special resolution not to be re-registered under that Article, and the resolution has not been revoked, and has not been cancelled under Article 64 of the principal Order as applied by Article 6 of this Order.

(2) A person guilty of an offence under paragraph (1) is liable on summary conviction to a fine not exceeding one-fifth of the statutory maximum or, on conviction after continued contravention, to a daily default fine not exceeding one-fiftieth of the statutory maximum for every day on which that paragraph is contravened.

Shares of old public company held by itself; charges on own shares

8.—(1) The following has effect notwithstanding Article 3(2).

(2) References to a public company in Articles 156 to 159 of the principal Order (treatment of a company's shares when acquired by itself) do not include an old public company; and references in those Articles to a private company are to be read accordingly.

(3) In the case of a company which after 30th September 1984 remained an old public company and did not on or before that date apply to be re-registered under Article 10 of the Order of 1981 as a public company, any charge on its own shares which was in existence on or immediately before that date is a permitted charge for the purposes of Chapter V of Part VI of the principal Order and accordingly not void under Article 160 of that Order.

Offers of shares and debentures by old public company

9. Article 91 of the principal Order applies to an old public company as if it were a private company such as is mentioned in paragraph (1) of that Article.

Trading under misleading name

10.—(1) An old public company is guilty of an offence if it carries on any trade, profession or business under a name which includes, as its last part, the words "public limited company" or any contraction or imitation of those words.

(2) During the 3 years following the re-registration of an old public company under Article 10 of the Order of 1981, Article 356(1) of the principal Order and any other statutory provision requiring or authorising the name of the company to be shown on any document or other object, apply as if any reference in that provision to the name of the company were a reference to a name which either is its name or was its name before re-registration.

(3) A company guilty of an offence under paragraph (1), and any officer of the company who is in default, is liable on summary conviction as for an offence under Article 43 of the principal Order.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

Payment for share capital

11.—(1) Subject to paragraph (2), Articles 109, 111 to 113, 116, 118 and 120 to 125 of the principal Order apply to a company whose directors have passed and not revoked a resolution to be re-registered under Article 4 of this Order, as those Articles apply to a public company.

(2) Articles 109, 111 to 113, 118 and 122 of the principal Order do not apply to the allotment of shares by a company, other than a public company registered as such on its original incorporation, where the contract for the allotment was entered into—

- (a) except in a case falling within sub-paragraph (b), on or before 31st December 1984;
- (b) in the case of a company re-registered or registered as a public company in pursuance of—
 - (i) a resolution to be re-registered under Article 53 of the principal Order,
 - (ii) a resolution to be re-registered under Article 4 of this Order, or
 - (iii) a resolution by a joint stock company that the company be a public company,
being a resolution that was passed on or before 31st December 1984, before the date on which the resolution was passed.

Miscellaneous savings

Pre-1901 companies limited by guarantee

12. Article 26 of the principal Order does not apply in the case of companies registered before 1st January 1901.

Company official seal

13.—(1) A company which was incorporated before 1st January 1982 and which has such an official seal as is mentioned in Article 50 of the principal Order may use the seal for sealing such securities and documents as are there mentioned, notwithstanding anything in any instrument constituting or regulating the company or in any instrument made before that date which relates to any securities issued by the company.

(2) Any provision of such an instrument which requires any such securities or documents to be signed shall not apply to the securities or documents if they are sealed with that seal.

Share premiums: retrospective relief

14.—(1) The relief given by this Article (being a re-enactment of Article 40 of the Order of 1982) applies only where a company has issued shares in circumstances to which this Article applies before 4th February 1981.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

(2) Subject as follows, this Article applies where the issuing company (that is, the company issuing shares as mentioned in Article 140 of the principal Order) has issued at a premium shares which were allotted in pursuance of any arrangement providing for the allotment of shares in the issuing company on terms that the consideration for the shares allotted was to be provided by the issue or transfer to the issuing company of shares in another company or by the cancellation of any shares in that other company not held by the issuing company.

(3) The other company in question must either have been at the time of the arrangement a subsidiary of the issuing company or of any company which was then the issuing company's holding company or have become such a subsidiary on the acquisition or cancellation of its shares in pursuance of the arrangement.

(4) Any part of the premiums on the shares so issued which was not transferred to the company's share premium account in accordance with section 56 of the Act of 1960 shall be treated as if that section had never applied to those premiums (and may accordingly be disregarded in determining the sum to be included in the company's share premium account).

(5) Article 143(2) and (3) of the principal Order applies for the interpretation of this Article; and for the purposes of this Article—

- (a) "company" (except in references to the issuing company) includes any body corporate, and
- (b) the definition of "arrangement" in Article 141(7) of the principal Order applies.

(6) This Article is deemed included in Chapter III of Part VI of the principal Order for the purpose of the Department's power under Article 144 of that Order to make regulations in respect of relief from the requirements of Article 140 of that Order.

Saving, in case of re-issued debentures, of rights of certain mortgagees

1908 c. 69

15. Whereas by section 104 of the Companies (Consolidation) Act 1908 it was provided that, upon the re-issue of redeemed debentures, the person entitled to the debentures should have the same rights and priorities as if the debentures had not previously been issued:

1930 c. 12 (N.I.)

And whereas section 49 of the Companies Act (Northern Ireland) 1930 amended section 104 of the Act of 1908 so as to provide (among other things) that the said person should have the same priorities as if the debentures had never been redeemed, but saved, in the case of debentures redeemed before, but re-issued after, 1st January 1933, the rights and priorities of persons under mortgages and charges created before that date:

Now, therefore, where any debentures which were redeemed before the date last mentioned have been re-issued after that date and before the commencement of the Act of 1960 (1st April 1961), or are or have been re-issued after that commencement, the re-issue of the

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

debentures does not prejudice, and is deemed never to have prejudiced, any right or priority which any person would have had under or by virtue of any such mortgage or charge as above referred to if section 104 of the Act of 1908, as originally enacted, had been enacted in the Act of 1960 instead of section 89 of that Act, and in the principal Order instead of Article 203 of that Order.

Removal of directors appointed for life

16. Article 311(1) of the principal Order does not, in the case of a private company, authorise the removal of a director holding office for life on 31st July 1979, whether or not subject to retirement under an age limit by virtue of the company's articles or otherwise.

Tax-free payments to directors

17. Paragraph (1) of Article 319 of the principal Order does not apply to remuneration under a contract which was in force on 27th October 1959 and provides expressly (and not by reference to the company's articles) for payment of remuneration as mentioned in that paragraph; and paragraph (2) of that Article does not apply to any provision contained in such a contract.

Statutory declaration of solvency in voluntary winding up

18. In relation to a winding up commenced before 1st July 1983, Article 535 of the principal Order applies in the form of section 253 of the Act of 1960, without the amendment of that section made by Article 104 of the Order of 1982.

Effect of floating charge in winding up

19. In relation to a charge created on or before 30th September 1960, Article 573(1) of the principal Order has effect with the substitution of "6 months" for "12 months".

Priority of old debts in winding up

20. Nothing in this Order affects the priority to which any person may have been entitled under section 287 of the Act of 1960 in respect of a debt of any of the descriptions specified in paragraph (a)(ii) of subsection (1) of that section (which included references to profits tax and excess profits tax).

Saving as to certain old liquidations

21.—(1) The provisions of the principal Order with respect to winding up (other than Article 588 and paragraph (2)) do not apply to any company of which the winding up commenced before 1st January 1933; but every such company shall be wound up in the same manner and with the same incidents as if the Companies Act (Northern Ireland) 1932, the Act of 1960 and the principal Order (apart from the provisions above-mentioned) had not passed or been

1932 c. 7 (N.I.)

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

made; and, for the purposes of the winding up, the statutory provision or provisions under which the winding up commenced are deemed to remain in full force.

(2) An office copy of every order staying the proceedings in a winding up commenced as mentioned in paragraph (1) shall forthwith be forwarded by the company, or otherwise as may be prescribed, to the registrar for registration.

Miscellaneous amendments

Amendments of Insurance Companies Act 1982

1982 c. 50 **22.** In section 47A (security of information) of the Insurance Companies Act 1982 the following amendments are made—

- (a) at the end of the subsection (1) there shall be added the words “or Article 442(1)(a) to (e) of the Companies (Northern Ireland) Order 1986”; and
- (b) at the end of subsection (2) there shall be added the words “or Article 442 of that Order”.

Amendments of other statutory provisions

23. The statutory provisions specified in the first column of Schedule 1 (which includes statutory provisions passed or made after the Act of 1960 and contains references to that Act or others of the Companies Acts (Northern Ireland) 1960 to 1983) are amended as shown in the second column of the Schedule.

Repeals and continuity of law

Repeals

24. The statutory provisions specified in the second column of Schedule 2 are repealed to the extent specified in the third column of the Schedule.

Continuity of law

25.—(1) In this Article—

- (a) “the Orders” means the principal Order, the Company Securities (Insider Dealing) (Northern Ireland) Order 1986, the Business Names (Northern Ireland) Order 1986 and this Order;
- (b) “the Acts” means the Companies Acts (Northern Ireland) 1960 to 1983 and any other statutory provision which is repealed by this Order and replaced by a corresponding provision in the Orders; and
- (c) “the commencement date” means the date on which this Order comes into operation.

1986 NI 8
1986 NI 7

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

(2) Where any period of time specified in a provision of the Acts is current immediately before the commencement date, the Orders have effect as if the corresponding provision had been in force when the period began to run; and (without prejudice to the foregoing) any period of time so specified and current is deemed for the purposes of the Orders—

- (a) to run from the date or event from which it was running immediately before the commencement date, and
- (b) to expire (subject to any provision of the Orders for its extension) whenever it would have expired if the Orders had not been passed;

and any rights, priorities, liabilities, reliefs, obligations, requirements, powers, duties or exemptions dependent on the beginning, duration or end of such a period as above mentioned shall be under the Orders as they were or would have been under the Acts.

(3) Where in any provision of the Orders there is a reference to another provision of those Orders, and the first-mentioned provision operates, or is capable of operating, in relation to things done or omitted, or events occurring or not occurring, in the past (including in particular past acts of compliance with any statutory provision, failures of compliance, contraventions, offences and convictions of offences), the reference to that other provision is to be read as including a reference to the corresponding provision of the Acts.

(4) A contravention of any provision of the Acts committed before the commencement date shall not be visited with any more severe punishment under or by virtue of the Orders than would have been applicable under that provision at the time of the contravention; but—

- (a) where an offence for the continuance of which a penalty was provided has been committed under any provision of the Acts, proceedings may be taken under the Orders in respect of the continuance of the offence after the commencement date in the like manner as if the offence had been committed under the corresponding provision of the Orders; and
- (b) the repeal of any transitory provision of the Acts (not replaced by any corresponding provision of the Orders) requiring a thing to be done within a certain time does not affect a person's continued liability to be prosecuted and punished in respect of the failure, or continued failure, to do that thing.

(5) The generality of section 29(3)(b) of the Interpretation Act (Northern Ireland) 1954 is not affected by any specific conversion of references made by this Order, nor by the inclusion in any provision of the Orders of a reference (whether express or implied, and in whatever phraseology) to the provision of the Acts corresponding to that provision, or to a provision of the Acts which is replaced by a corresponding provision of the Orders.

1954 c. 33 (N.I.)

(6) Nothing in the Orders affects—

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

1856 c. 47
1862 c. 89
1908 c. 69
1932 c. 7 (N.I.)

- (a) the registration or re-registration of any company under the former Companies Acts, or the continued existence of any company by virtue of such registration or re-registration; or
- (b) the application of—
 - (i) Table B in the Joint Stock Companies Act 1856, or
 - (ii) Table A in the Companies Act 1862, the Companies (Consolidation) Act 1908, the Companies Act (Northern Ireland) 1932 or the Act of 1960,to any company existing immediately before the commencement date; or
- (c) the operation of any statutory provision providing for any partnership, association or company being wound up, or being wound up as a company or as an unregistered company under any of the former Companies Acts.

(7) Anything saved from repeal by section 403 of the Act of 1960 and still in force immediately before the commencement date remains in force notwithstanding the repeal by this Order of any provision of that Act.

(8) Where any provision of the Orders was, immediately before the commencement date, contained in or given effect by a statutory rule (whether or not made under a power in any of the Acts), then—

- (a) the foregoing provisions of this Article have effect as if that provision was contained in the Acts, and
- (b) insofar as the provision was, immediately before that date, subject to a power (whether or not under the Acts) of variation or revocation, nothing in the Orders is to be taken as prejudicing any future exercise of the power.

1954 c. 33 (N.I.)

1986 NI 8
1986 NI 7

(9) The provisions of this Article are without prejudice to the operation of sections 28 and 29 of the Interpretation Act (Northern Ireland) 1954 (savings from, and effect of, repeals); and for the purposes of section 29(3) of that Act (effect of provisions repealing and re-enacting other provisions), any provision of the Acts which is replaced by a provision of the principal Order, the Company Securities (Insider Dealing) (Northern Ireland) Order 1986 or the Business Names (Northern Ireland) Order 1986 is deemed to have been repealed and re-enacted by that one of the Orders and not by this Order.

G. I. de Deney,
Clerk of the Privy Council.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCHEDULES

SCHEDULE 1

Article 23

AMENDMENTS

PART I

NORTHERN IRELAND STATUTORY PROVISIONS

Statutory Provision	Amendment
<p>Prevention of Fraud (Investments) Act (Northern Ireland) 1940 (c. 9):</p> <p>Section 2</p>	<p>For subsection (2) to the end of sub-paragraph (d) substitute—</p> <p>“(2) For the purpose of determining whether or not a person has contravened any of the restrictions imposed by section 1 of this Act, no account shall be taken of his having done any of the following things (whether as a principal or as an agent), that is to say—</p> <p>(a) effecting transactions with, or through the agency of—</p> <p style="padding-left: 2em;">(i) such a person as is mentioned in paragraph (a), paragraph (b) or paragraph (c) of the preceding subsection, or a person acting on behalf of such a person as is so mentioned, or</p> <p style="padding-left: 2em;">(ii) the holder of a licence;</p> <p>(b) issuing any prospectus to which—</p> <p style="padding-left: 2em;">(i) Article 66 of the Companies (Northern Ireland) Order 1986 applies or would apply if not excluded by sub-paragraph (b) of paragraph (5) of that Article, or</p> <p style="padding-left: 2em;">(ii) Article 82 of that Order applies or would apply if not excluded by sub-paragraph (b) of paragraph (6) of that Article or by Article 86 of that Order;</p> <p>(c) issuing any document relating to securities of a corporation incorporated in the United Kingdom which is not a registered company, being a document which—</p> <p style="padding-left: 2em;">(i) would, if the corporation were a registered company, be a prospectus to which Article 66 of the Companies (Northern Ireland)</p>

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART I

Statutory Provision	Amendment
Section 2 (contd.)	<p>Order 1986 applies or would apply if not excluded by sub-paragraph (b) of paragraph (5) of that Article, and</p> <p>(ii) contains all the matters and is issued with the consents which, by virtue of Articles 82 to 85 of that Order, it would have to contain and be issued with if the corporation were a company incorporated outside the United Kingdom and the document were a prospectus issued by that company; and</p> <p>(d) issuing any form of application for shares in, or debentures of, a corporation together with—</p> <p>(i) a prospectus which complies with the requirements of Article 66 of the Companies (Northern Ireland) Order 1986, or is not required to comply with it because excluded by sub-paragraph (b) of paragraph (5) of that Article, or complies with the requirements of Chapter II of Part IV of that Order relating to prospectuses and is not issued in contravention of Articles 84 and 85 of that Order, or</p> <p>(ii) in the case of a corporation incorporated in the United Kingdom which is not a registered company, a document containing all the matters and issued with the consents mentioned in paragraph (c) (ii) of this subsection”.</p>
Section 13.....	<p>(a) In subsection (2) for paragraphs (a) and (b) substitute—</p> <p>“(a) in relation to any distribution of a prospectus to which Article 66 of the Companies (Northern Ireland) Order 1986 applies or would apply if not excluded by sub-paragraph (b) of paragraph (5) of that Article or Article 82 of that Order applies or would apply if not excluded by sub-paragraph (b) of paragraph (6) of that Article or by Article 86 of that</p>

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART I

Statutory Provision	Amendment
Section 13 (contd.)	<p>Order, or in relation to any distribution of a document relating to securities of a corporation incorporated in the United Kingdom which is not a registered company, being a document which—</p> <p>(i) would, if the corporation were a registered company, be a prospectus to which the said Article 66 applies or would apply if not excluded as aforesaid, and</p> <p>(ii) contains all the matters and is issued with the consents which, by virtue of Articles 82 to 85 of that Order would have to contain and be issued with if the corporation were a company incorporated outside the United Kingdom and the document were a prospectus issued by that company;</p> <p>(b) in relation to any issue of a form of application for shares in, or debentures of, a corporation, together with—</p> <p>(i) a prospectus which complies with the requirements of Article 66 of the Companies (Northern Ireland) Order 1986 or is not required to comply therewith because excluded by subparagraph (b) of paragraph (5) of that Article or complies with the requirements of Chapter II of Part IV of that Order relating to prospectuses and is not issued in contravention of Articles 84 and 85 of that Order, or</p> <p>(ii) in the case of a corporation incorporated in the United Kingdom which is not a registered company, a document containing all the matters and issued with the consents mentioned in paragraph (a)(ii) of this subsection,</p> <p>or in connection with a bona fide invitation to a person to enter into an underwriting agreement with respect to the shares or debentures, or”.</p>

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART I

Statutory Provision	Amendment
Section 13 (contd.)	(b) In subsection (3)(a)(iii) for “section one hundred and forty-eight of the Companies Act (Northern Ireland) 1960” substitute “Article 4 of the Companies (Northern Ireland) Order 1986”.
Section 15.....	In subsection (2)(a) for “Companies Act (Northern Ireland) 1932” substitute “Companies (Northern Ireland) Order 1986”.
Section 22.....	In subsection (1)— (a) in the definition of “Prospectus”, for “Companies Act (Northern Ireland) 1932” substitute “Companies (Northern Ireland) Order 1986”; (b) in the definition of “Registered Company” for “Companies Act (Northern Ireland), 1932, or formed and registered or deemed to have been registered under the Companies (Consolidation) Act, 1908, the Companies Act, 1862, or the Joint Stock Companies Acts as defined in section three hundred and thirty-five of the Companies Act (Northern Ireland), 1932;” substitute “Companies (Northern Ireland) Order 1986 or formed and registered or deemed to have been registered under the former Companies Acts as defined in Article 2(3) of that Order”; (c) in the definition of “statutory corporation”, for “Companies Act (Northern Ireland) 1932” substitute “Companies (Northern Ireland) Order 1986”.
Stock Transfer Act (Northern Ireland) 1963 (c. 24):	
Section 1	In subsection (4)(a) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.
Section 2	(a) In subsection (2) for “section 79(1) of the Companies Act (Northern Ireland) 1960” substitute “Article 194(1) of the Companies (Northern Ireland) Order 1986”; and (b) in subsection (3)(a) for “section 75 of the Companies Act (Northern Ireland) 1960” substitute “Article 193(1) and (2) of the Companies (Northern Ireland) Order 1986”.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

Statutory Provision	Amendment	SCH. 1 PART I
Pig Production Development Act (Northern Ireland) 1964 (c. 25):		
Section 10(1).....	For the words from “Article 26(1)(a)” to the end substitute “Article 397(2) of the Companies (Northern Ireland) Order 1986”.	
Section 11(2).....	For the words “Part IX of the Companies Act (Northern Ireland) 1960” substitute “Part XXI of the Companies (Northern Ireland) Order 1986”.	
Business Tenancies Act (Northern Ireland) 1964 (c. 36):		
Section 25(2).....	For the words from “Companies” to the end, substitute “Companies (Northern Ireland) Order 1986, by Article 4 of that Order”.	
Trading Stamps Act (Northern Ireland) 1965 (c. 6):		
Section 1	In subsection (5) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.	
Factories Act (Northern Ireland) 1965 (c. 20):		
Section 168	In subsection (1)(c) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.	
Fisheries Act (Northern Ireland) 1966 (c. 17):		
Section 31	For the words from “listed in” to the end substitute “listed in Article 397(2) of the Companies (Northern Ireland) Order 1986”.	
Livestock Marketing Commission Act (Northern Ireland) 1967 (c. 21):		
Section 9(2)	For the words from “listed in” to the end substitute “listed in Article 397(2) of the Companies (Northern Ireland) Order 1986”.	
Building Societies Act (Northern Ireland) 1967 (c. 31):		
Section 22(8).....	For “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.	

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART I

Statutory Provision	Amendment
Section 50(5).....	For “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.
Section 55(5).....	For “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.
Section 86.....	(a) In subsection (1) for the words from “listed” to the end substitute “listed in Article 397(2) of the Companies (Northern Ireland) Order 1986”. (b) In subsection (2) for “Article 26(1)(b) or (c) of the Companies (Northern Ireland) Order 1978” substitute “Article 397(1)(b) of the Companies (Northern Ireland) Order 1986”.
Section 92(4).....	For “Section 394 of the Companies Act (Northern Ireland) 1960” substitute “Article 675 of the Companies (Northern Ireland) Order 1986”.
Section 103	For “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.
Section 104(2)	For “section 230 of the Companies Act (Northern Ireland) 1960” substitute “Article 510 of the Companies (Northern Ireland) Order 1986”.
Schedule 3	In paragraph 12(1)(b) for “section 355 of the Companies Act (Northern Ireland) 1960” substitute “Article 640(1) of the Companies (Northern Ireland) Order 1986”.
Transport Act (Northern Ireland) 1967 (c. 37):	
Section 53(2).....	For “Companies Acts (Northern Ireland) 1960 and 1978” substitute “Companies (Northern Ireland) Order 1986”.
Section 81.....	In the definition of “subsidiary” for the words from “section 148” to the end of the definition substitute “Article 4 of the Companies (Northern Ireland) Order 1986, it has for the purposes of that Order”.
Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24):	
Section 1(2)	In paragraph (b) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

Statutory Provision	Amendment	SCH. 1 PART I
Section 41(1).....	In paragraph (e) for the words from “listed” to “1978” substitute “listed in Article 397(2) of the Companies (Northern Ireland) Order 1986”, and for “Article 26(1)(b) of the Companies (Northern Ireland) Order 1978” substitute “Article 397(1)(b) of the Companies (Northern Ireland) Order 1986”.	
Section 61.....	(a) In subsection (1) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986” and for “Companies Acts” substitute “that Order”. (b) In subsection (2) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986” and for “Act of 1960” substitute “Order of 1986”.	
Section 62.....	(a) For the words “Companies Act (Northern Ireland) 1960”, wherever they occur, substitute “Companies (Northern Ireland) Order 1986”. (b) In subsection (1) for “section 135 of that Act” substitute “Article 386 of that Order”.	
Section 64.....	In paragraph (a) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”, and for “that Act” substitute “that Order”.	
Judgments (Enforcement) Act (Northern Ireland) 1969 (c. 30):		
Section 129(1)	In the definition of “company”, in paragraph (a) for “Companies Acts (Northern Ireland) 1960 and 1963” substitute “Companies (Northern Ireland) Order 1986”, and in paragraph (b) for “Part X of the Companies Act (Northern Ireland) 1960” substitute “Part XXIII of the Companies (Northern Ireland) Order 1986”.	
Harbours Act (Northern Ireland) 1970 (c. 1):		
Section 30(3).....	For “Companies Acts (Northern Ireland) 1960 and 1978” substitute “Companies (Northern Ireland) Order 1986”.	

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART I

Statutory Provision	Amendment
Friendly Societies Act (Northern Ireland) 1970 (c. 31):	
Section 29(1).....	In paragraph (e) for the words from “listed” to “1978” substitute “listed in Article 397(2) of the Companies (Northern Ireland) Order 1986”; and for “under Article 26(1)(b) of that Order” substitute “under Article 397(1)(b) of that Order”.
Section 72.....	(a) In subsection (1) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986” and for the word “Act” where it twice occurs substitute “Order”. (b) In subsection (2) for “the Companies Acts” substitute “the Companies (Northern Ireland) Order 1986”.
Section 77(2).....	For “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.
Section 87(3).....	In paragraph (b) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.
Section 103	In the definition of “Companies Acts” for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.
Fish Industry Act (Northern Ireland) 1972 (c. 4):	
Section 9	(a) In subsection (2) for “section 133 of the Companies Act (Northern Ireland) 1960” substitute “Article 383 of the Companies (Northern Ireland) Order 1986”. (b) In subsection (5), in the definition of “company” for “Companies Act (Northern Ireland) 1960 and also includes a company to which Part X of that Act applies” substitute “Companies (Northern Ireland) Order 1986 and also includes a company to which Part XXIII of that Order applies”, and in the definition of “holding company” for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART I

Statutory Provision	Amendment
Local Government Act (Northern Ireland) 1972 (c. 9):	
Section 32(4).....	For “section 158 of the Companies Act (Northern Ireland) 1960 and accordingly sections 160 (power to carry investigation into affairs of related companies) and 161 (production of documents and evidence) of that Act” substitute “Article 424 of the Companies (Northern Ireland) Order 1986 and accordingly Articles 426 (inspectors’ powers during investigations) and 427 to 429 (production of documents and evidence) of that Order”; and for “the said section 158” substitute “the said Article 424”.
Electricity Supply (Northern Ireland) Order 1972 (NI 9):	
Article 2(3).....	For “ ‘subsidiary’ has the same meaning as in the Companies Act (Northern Ireland) 1960” substitute “ ‘subsidiary’ has the same meaning as in the Companies (Northern Ireland) Order 1986”.
Article 24	For the words from “listed in” to the end of the Article substitute “listed in Article 397(2) of the Companies (Northern Ireland) Order 1986”.
Finance (Miscellaneous Provisions) (Northern Ireland) Order 1973 (NI 18):	
Article 8.....	(a) In paragraph (2)(a) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”. (b) In paragraph (2)(b) for “section 52(1) of that Act” substitute “Article 98(2) of that Order”. (c) In paragraph (3) for “under section 12 of the Companies Act (Northern Ireland) 1960” substitute “under Articles 21 and 23 of the Companies (Northern Ireland) Order 1986”.
Schedule 2, Part IV	In paragraph 11 for “section 197 of the Companies Act (Northern Ireland) 1960” substitute “Article 418 of the Companies (Northern Ireland) Order 1986”.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART I

Statutory Provision	Amendment
Industrial Relations (Northern Ireland) Order 1976 (NI 16):	
Article 42(6)	For "section 286 of the Companies Act (Northern Ireland) 1960" substitute "Article 569 of the Companies (Northern Ireland) Order 1986".
Article 45(2)(b)	For "section 287 of the Companies Act (Northern Ireland) 1960" substitute "Article 570 of, and Schedule 18 to, the Companies (Northern Ireland) Order 1986".
Horse Racing and Betting (Northern Ireland) Order 1976 (NI 17):	
Article 8(2)	For "section 155(1)(a) of the Companies Act (Northern Ireland) 1960" substitute "Article 397(2) of the Companies (Northern Ireland) Order 1986".
Gas (Northern Ireland) Order 1977 (NI 7):	
Article 6(7)	For the words from "subsidiary" to the end of the paragraph substitute " 'subsidiary' has the same meaning as, by virtue of Article 4 of the Companies (Northern Ireland) Order 1986, it has for the purposes of that Order".
Rates (Northern Ireland) Order 1977 (NI 28):	
Schedule 12, Part X	In paragraph 4(c)(i) for "section 148 of the Companies Act (Northern Ireland) 1960" substitute "Article 4 of the Companies (Northern Ireland) Order 1986".
Aircraft and Shipbuilding Industries (Northern Ire- land) Order 1979 (NI 1):	
Article 2	(a) In paragraph (2) for " 'subsidiary' " to "1960", substitute " 'subsidiary' and 'wholly-owned subsidiary' shall be construed in accordance with Article 4 of the Companies (Northern Ireland) Order 1986". (b) In paragraph (3) for "subsections (3) and (5) of section 148 of the Companies Act (Northern Ireland) 1960" substitute "paragraphs (4) and (6) of Article 4 of the Companies (Northern Ireland) Order 1986" and for "section 148" substitute "Article 4".

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART I

Statutory Provision	Amendment
Article 12	In paragraph (2) for “Companies Acts (Northern Ireland) 1960 and 1978” substitute “Companies (Northern Ireland) Order 1986”.
Industrial Assurance (Northern Ireland) Order 1979 (NI 13):	
Article 41	In paragraph (2) for “Companies Acts (Northern Ireland) 1960 and 1978” substitute “Companies (Northern Ireland) Order 1986”.
Administration of Estates (Northern Ireland) Order 1979 (NI 14):	
Article 9(4).....	In sub-paragraphs (b)(iv) (bb) and (cc) for the words “Companies Acts (Northern Ireland) 1960 and 1978”, where they twice occur, substitute “Companies (Northern Ireland) Order 1986”.
Bankruptcy Amendment (Northern Ireland) Order 1980 (NI 4):	
Article 2.....	In the definition of “the Insolvency Account” for “Article 93 of the Companies (Northern Ireland) Order 1978” substitute “Article 502 of the Companies (Northern Ireland) Order 1986”.
Article 5(2).....	For “Article 93(3) of the Companies (Northern Ireland) Order 1978” substitute “Article 502(2) of the Companies (Northern Ireland) Order 1986”.
Article 33(4)	For “subsection (3) of section 317 of the Companies Act (Northern Ireland) 1960” substitute “paragraph (4) of Article 613 of the Companies (Northern Ireland) Order 1986”.
Housing (Northern Ireland) Order 1981 (NI 3):	
Article 114.....	For “Companies Acts (Northern Ireland) 1960 and 1978” substitute “Companies (Northern Ireland) Order 1986”.
Article 131.....	For “Companies Acts (Northern Ireland) 1960 and 1978” substitute “Companies (Northern Ireland) Order 1986”.
Article 133.....	(a) In paragraph (3) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART I

Statutory Provision	Amendment
Article 133 (contd.)	(b) in paragraph (4) for “section 135 of the Companies Act (Northern Ireland) 1960” substitute “Article 386 of the Companies (Northern Ireland) Order 1986” and for “section 137 of the Companies Act (Northern Ireland) 1960” substitute “Article 388 of the Companies (Northern Ireland) Order 1986”.
Article 141.....	For “paragraph 14 of Schedule 6 to the Companies Act (Northern Ireland) 1960” substitute “paragraph 28 of Schedule 9 to the Companies (Northern Ireland) Order 1986”.
Judgments Enforcement (Northern Ireland) Order 1981 (NI 6):	
Article 2.....	(a) In the definition of “company” for “Companies Acts (Northern Ireland) 1960 and 1963” substitute “Companies (Northern Ireland) Order 1986”, and for “Part X of the Companies Act (Northern Ireland) 1960” substitute “Part XXIII of the Companies (Northern Ireland) Order 1986”. (b) In the definition of “debenture” for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”. (c) In the definition of “private company” for “section 28(1) of the Companies Act (Northern Ireland) 1960” substitute “Article 12 of the Companies (Northern Ireland) Order 1986”.
Article 14(3)(b)(i).....	For “section 197 of the Companies Act (Northern Ireland) 1960” substitute “Article 418 of the Companies (Northern Ireland) Order 1986”.
Article 58(c)	For “Part X of the Companies (Northern Ireland) Act 1960” substitute “Part XXIII of the Companies (Northern Ireland) Order 1986”.
Article 88	(a) In paragraph (1) for “Companies Acts (Northern Ireland) 1960 and 1963” substitute “Companies (Northern Ireland) Order 1986”. (b) In paragraph (2)(a) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART I

Statutory Provision	Amendment
Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (NI 8): Article 20(3)	For the words from “listed in” to the end of the paragraph substitute “listed in Article 397(2) of the Companies (Northern Ireland) Order 1986”.
Agricultural Marketing (Northern Ireland) Order 1982 (NI 12): Schedule 2	<p>(a) In paragraph 6(1) for “Part IX of the Companies Act (Northern Ireland) 1960” substitute “Part XXI of the Companies (Northern Ireland) Order 1986”.</p> <p>(b) In paragraph 6(2) for “section 349 of the Companies Act (Northern Ireland) 1960” substitute “Article 616 of the Companies (Northern Ireland) Order 1986”.</p> <p>(c) In paragraph 6(3) for “section 349(5)(b) of the Companies Act (Northern Ireland) 1960” substitute “Article 618 of the Companies (Northern Ireland) Order 1986” and for “section 349(5)(c)” substitute “Article 619(b)”.</p> <p>(d) In paragraph 6(4) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.</p>
Schedule 6	<p>(a) In paragraph 5(1) for “Part IX of the Companies Act (Northern Ireland) 1960” substitute “Part XXI of the Companies (Northern Ireland) Order 1986”.</p> <p>(b) In paragraph 5(2) for “section 349 of the Companies Act (Northern Ireland) 1960” substitute “Article 616 of the Companies (Northern Ireland) Order 1986”.</p> <p>(c) In paragraph 5(3) for “section 349(5)(b) of the Companies Act (Northern Ireland) 1960” substitute “Article 618 of the Companies (Northern Ireland) Order 1986” and for “section 349(5)(c)” substitute “Article 619(b)”.</p> <p>(d) In paragraph 5(4) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.</p>

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART I

Statutory Provision	Amendment
Industrial Development (Northern Ireland) Order 1982 (NI 15):	
Article 13(2)	For "section 200 of the Companies Act (Northern Ireland) 1960" substitute "Articles 421 to 423 of the Companies (Northern Ireland) Order 1986".
Article 15(1)	In the definition of "holding company" and "subsidiary" for "section 148 of the Companies Act (Northern Ireland) 1960" substitute "Article 4 of the Companies (Northern Ireland) Order 1986".
Article 31(3)	In the definition of "wholly-owned subsidiary" for "section 144(5) of the Companies Act (Northern Ireland) 1966" substitute "Article 4(5)(b) of the Companies (Northern Ireland) Order 1986".
Industrial Training (Northern Ireland) Order 1984 (NI 9):	
Article 12(2)	For "Article 26 of the Companies (Northern Ireland) Order 1978" substitute "Article 397 of the Companies (Northern Ireland) Order 1986".
Article 21(2)	For "Article 26 of the Companies (Northern Ireland) Order 1978" substitute "Article 397 of the Companies (Northern Ireland) Order 1986".
Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (NI 11):	
Article 2(2).....	In the definition of "qualified accountant" for "Article 26(1)(a) of the Companies (Northern Ireland) Order 1978" substitute "Article 397(2) of the Companies (Northern Ireland) Order 1986", and for "Article 26(1)(b)" substitute "Article 397(1)(b)".
Article 109(2).....	For "Companies Acts (Northern Ireland) 1960 to 1983" substitute "Companies (Northern Ireland) Order 1986" and for "those Acts" substitute "that Order".
Article 155(2).....	For "Companies Acts (Northern Ireland) 1960 to 1983" substitute "Companies (Northern Ireland) Order 1986" and for "those Acts" substitute "that Order".

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

Statutory Provision	Amendment	SCH. 1 PART I
Credit Unions (Northern Ireland) Order 1985 (NI 12):		
Article 46(1)	For "Article 26(1)(a) of the Companies (Northern Ireland) Order 1978" substitute "Article 397(2) of the Companies (Northern Ireland) Order 1986" and for "Article 26(1)(b)" substitute "Article 397(1)(b)".	

PART II

UNITED KINGDOM STATUTORY PROVISIONS

Statutory Provision	Amendment
South Africa Act 1962 (c. 23):	
Schedule 2	For paragraph 4 substitute:— "4. In their application to the Republic, Article 370 of, and Schedule 14 to, the Companies (Northern Ireland) Order 1986 should be construed as including any corresponding provisions in force at the commencement of this Act which are contained in any enactment, royal charter or other instrument constituting or regulating any body corporate incorporated in, and having its principal office or principal place of business in, Great Britain or Northern Ireland."
Income and Corporation Taxes Act 1970 (c. 10):	
Section 242(1)	For "Companies Act (Northern Ireland) 1960" substitute "Companies (Northern Ireland) Order 1986".
Section 265(5)	For "section 226 of the Companies Act (Northern Ireland) 1960" substitute "Article 498 of the Companies (Northern Ireland) Order 1986".
Prevention of Oil Pollution Act 1971 (c. 60):	
Section 15(3)	For "sections 361 and 385 of the Companies Act (Northern Ireland) 1960" substitute "Articles 645 and 673 of the Companies (Northern Ireland) Order 1986".

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART II

Statutory Provision	Amendment
Industry Act 1972 (c. 63):	
Section 10.....	In subsection (9) for "Companies Act (Northern Ireland) 1960 by section 148 of that Act" substitute "Companies (Northern Ireland) Order 1986 by Article 4 of that Order".
Merchant Shipping Act 1974 (c. 43):	
Section 2(9)	In the definition of "group", for "section 148 of the Companies Act (Northern Ireland) 1960" substitute "Article 4 of the Companies (Northern Ireland) Order 1986".
Social Security (Northern Ireland) Act 1975 (c. 15):	
Schedule 15.....	(a) In paragraph 2(1) for "section 287 of the Companies Act (Northern Ireland) 1960" substitute "Article 570 of, and Schedule 18 to, the Companies (Northern Ireland) Order 1986". (b) In paragraph 3(1) for "section 92 of the Companies Act (Northern Ireland) 1960" substitute "Article 205 of the Companies (Northern Ireland) Order 1986".
Finance (No. 2) Act 1975 (c. 45):	
Schedule 12, Part IV ...	(a) In paragraph 6(1) for "Companies Acts (Northern Ireland) 1960 and 1978" substitute "Companies (Northern Ireland) Order 1986". (b) For paragraph 6(2) substitute:— “(2) In this paragraph “the corresponding provisions of the Companies (Northern Ireland) Order 1986” means the following provisions of that Order, that is to say, Articles 295, 371, 372, 373, 235, 247, 249, 296(2), 641, 642, 649 and 643”.
Industry Act 1975 (c. 68):	
Section 37(1)	In the definitions of "holding company" and "subsidiary", for "section 148 of the Companies Act (Northern Ireland) 1960" (twice)

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

Statutory Provision	Amendment	SCH. 1 PART II
	substitute “Article 4 of the Companies (Northern Ireland) Order 1986”; and in the definition of “wholly-owned subsidiary”, for “section 144(5) of the Companies Act (Northern Ireland) 1960” substitute “Article 4(5)(b) of the Companies (Northern Ireland) Order 1986”.	
Schedule 2	In paragraph 7(2) for “Article 26(1)(a) of the Companies (Northern Ireland) Order 1978” substitute “Article 397(2) of the Companies (Northern Ireland) Order 1986”.	
Policyholders Protection		
Act 1975 (c. 75):		
Section 5(1)	In paragraph (a) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.	
Section 15(1)	For “section 222 of the Companies Act (Northern Ireland) 1960” substitute “Article 493 of the Companies (Northern Ireland) Order 1986”.	
Section 16	(a) In subsection (1)(b) for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”. (b) In subsection (1)(c) for “section 197 of the Companies Act (Northern Ireland) 1960” substitute “Article 418 of the Companies (Northern Ireland) Order 1986”. (c) In subsection (6)(c) (definition of the relevant time) for “section 197 of the Companies Act (Northern Ireland) 1960” substitute “Article 418 of the Companies (Northern Ireland) Order 1986”.	
Development Land Tax		
Act 1976 (c. 24):		
Section 33(1)	For “section 226 of the Companies Act (Northern Ireland) 1960” substitute “Article 498 of the Companies (Northern Ireland) Order 1986”.	
Section 42(4)	For paragraph (d) substitute— “(d) Article 570 of the Companies (Northern Ireland) Order 1986 with paragraph 2 of Schedule 18 to that Order; and”.	

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART II

Statutory Provision	Amendment
Restrictive Trade Practices Act 1976 (c. 34):	
Section 33(3)(c)	For "Companies Act (Northern Ireland) 1960" substitute "Companies (Northern Ireland) Order 1986".
Section 43(1).....	In the definition of "interconnected bodies corporate", for "section 148 of the Companies Act (Northern Ireland) 1960" substitute "Article 4 of the Companies (Northern Ireland) Order 1986".
Resale Prices Act 1976 (c. 53):	
Section 27.....	In paragraph (b) of the definition of "interconnected bodies corporate", for "section 148 of the Companies Act (Northern Ireland) 1960" substitute "Article 4 of the Companies (Northern Ireland) Order 1986".
Aircraft and Shipbuilding Industry Act 1977 (c. 3):	
Section 3(5)	For "section 200 of the Companies Act (Northern Ireland) 1960" substitute "Articles 421 to 423 of the Companies (Northern Ireland) Order 1986".
Section 56(1).....	(a) In the definition of "equity share capital", for "section 148(5) of the Companies Act (Northern Ireland) 1960" substitute "Article 2(3) of the Companies (Northern Ireland) Order 1986". (b) In the definition of "wholly-owned subsidiary", for "section 144 of the Companies Act (Northern Ireland) 1960" substitute "Article 4(5)(b) of the Companies (Northern Ireland) Order 1986".
Insurance Brokers (Registration) Act 1977 (c. 46):	
Section 11.....	In subsection (4) for the words from "by the Department of Commerce" to the end of the subsection substitute "by the Department of Economic Development under Article 397(1)(b) of the Companies (Northern Ireland) Order 1986".
Participation Agreements Act 1978 (c. 1):	
Section 1(4)	For "sections 144(5) and 148 of the Companies Act (Northern Ireland) 1960" substitute "Article 4 of the Companies (Northern Ireland) Order 1986".

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART II

Statutory Provision	Amendment
Commonwealth Development Corporation Act 1978 (c. 2):	
Section 9A(6)(b)	For "section 148 of the Companies Act (Northern Ireland) 1960" substitute "Article 4 of the Companies (Northern Ireland) Order 1986".
Shipbuilding (Redundancy Payments) Act 1978 (c. 11):	
Section 1(4)	(a) In the definition of "equity share capital", for "section 148(5) of the Companies Act (Northern Ireland) 1960" substitute "Article 2(3) of the Companies (Northern Ireland) Order 1986". (b) In the definition of "wholly-owned subsidiary", for "section 144 of the Companies Act (Northern Ireland) 1960" substitute "Article 4(5)(b) of the Companies (Northern Ireland) Order 1986".
Judicature (Northern Ireland) Act 1978 (c. 23):	
Section 35(2)(g)(iii).....	For "Companies Act (Northern Ireland) 1960" substitute "Companies (Northern Ireland) Order 1986".
Banking Act 1979 (c. 37):	
Section 6(3)	In paragraph (b) for "Companies Act (Northern Ireland) 1960 (unregistered companies)" substitute "Companies (Northern Ireland) Order 1986 (winding up of unregistered companies)".
Section 17(6).....	In paragraph (a) for "section 148 of the Companies Act (Northern Ireland) 1960" substitute "Article 4(5)(a) of the Companies (Northern Ireland) Order 1986".
Section 18.....	For subsection (4) substitute— "In its application to Northern Ireland, this section shall have effect— (a) with the substitution of a reference to the Companies (Northern Ireland) Order 1986 for any reference to the Companies Act 1985; (b) with the substitution of a reference to paragraph (c) of Article 615 of the Companies (Northern Ireland) Order 1986 for the reference in paragraph (a) of subsection (2) above to paragraph (c)

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART II

Statutory Provision	Amendment
Section 18 (contd.)	of section 665 of the Companies Act 1985; and (c) with the omission of paragraph (b) of subsection (2) above."
Section 19(8).....	In paragraph (a) for "section 159 or section 165A of the Companies Act (Northern Ireland) 1960" substitute "Articles 425 or Articles 435 and 436 of the Companies (Northern Ireland) Order 1986".
Section 20.....	(a) In subsection 2(a) for "Article 107 or Article 108 of the Companies (Northern Ireland) Order 1978" substitute "Article 440 or Article 441 of the Companies (Northern Ireland) Order 1986"; and for "Article 109 of that Order" substitute "Article 442 of that Order". (b) In subsection 2(b) for "section 158, section 159 or section 165A of the Companies Act (Northern Ireland) 1960" substitute "Article 424, Article 425, or Articles 435 and 436 of the Companies (Northern Ireland) Order 1986". (c) In subsection 3(a) for "Article 109 of the Companies (Northern Ireland) Order 1978" substitute "Article 442 of the Companies (Northern Ireland) Order 1986". (d) In subsection 3(b) for "Article 109" substitute "Article 442".
Section 28.....	(a) In subsection (4)(a) for "Companies Act (Northern Ireland) 1960 (unregistered companies)" substitute "Part XXI of the Companies (Northern Ireland) Order 1986 (winding up of unregistered companies)". (b) In subsection (6)(b)(iv) for "Companies Act (Northern Ireland) 1960" substitute "Companies (Northern Ireland) Order 1986".
Section 31(7).....	For paragraph (c) substitute:— “(c) for Northern Ireland, under Article 613 of the Companies (Northern Ireland) Order 1986 and section 55 of the Judicature (Northern Ireland) Act 1978;”.
Section 40(6).....	In paragraph (b) for "sections 356, 358 and 362 of the Companies Act (Northern Ireland) 1960" substitute "Articles 641, 642 and 646 of the Companies (Northern Ireland) Order 1986".

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART II

Statutory Provision	Amendment
Section 50(1).....	In the definition of “subsidiary”, for “section 148 of the Companies Act (Northern Ireland) 1960” substitute “Article 4 of the Companies (Northern Ireland) Order 1986”.
Estate Agents Act 1979 (c. 38):	
Section 14.....	(a) In subsection (6)— (i) In paragraph (a) for “section 155(1)(a) of the Companies Act (Northern Ireland) 1960” substitute “Article 397(1)(a) of the Companies (Northern Ireland) Order 1986”; and (ii) in paragraph (b) for “section 155(1)(b) of the Companies Act (Northern Ireland) 1960” substitute “Article 397(1)(b) of the Companies (Northern Ireland) Order 1986”. (b) In subsection (7) for “subsection (2), subsection (3) or subsection (4) of section 155 of the Companies Act (Northern Ireland) 1960” substitute “paragraph (5), (6) or (7) of Article 397 of the Companies (Northern Ireland) Order 1986”.
Crown Agents Act 1979 (c. 43):	
Section 31.....	In the definition of “subsidiary”, for “section 148 of the Companies Act (Northern Ireland) 1960” substitute “Article 4 of the Companies (Northern Ireland) Order 1986”, and in the definition of “wholly-owned subsidiary”, for “section 144(5) of that Act of 1960” substitute “Article 4(5)(b) of that Order of 1986”.
Industry Act 1980 (c. 33):	
Section 2(4)	For “section 148 of the Companies Act (Northern Ireland) 1960” substitute “Article 4 of the Companies (Northern Ireland) Order 1986”.
Section 3(7)	For “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”, and for “section 148 of the said Act of 1960” substitute “Article 4 of the said Order of 1986”.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART II

Statutory Provision	Amendment
Finance Act 1980 (c. 48):	
Schedule 10.....	(a) In paragraph 10(1)(b) for “section 197 of the Companies Act (Northern Ireland) 1960” substitute “Article 418 of the Companies (Northern Ireland) Order 1986”. (b) In paragraph 10(1)(c) for “section 200 of the said Act of 1960” substitute “Articles 421 to 423 of the Companies (Northern Ireland) Order 1986”.
Finance Act 1981 (c. 35):	
Section 55(4).....	For “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.
Schedule 17.....	In paragraph 3(4) for “section 148 of the Companies Act (Northern Ireland) 1960” substitute “Article 4 of the Companies (Northern Ireland) Order 1986”.
Civil Aviation Act 1982 (c. 16):	
Section 23(3).....	For “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”; and for “section 356(1)(c) of the said Act of 1960” substitute “Article 641(1)(b)(ii) of the said Order of 1986”.
Civil Jurisdiction and Judgments Act 1982 (c. 27):	
Schedule 5	In paragraph 1 for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”.
Insurance Companies Act 1982 (c. 50):	
Section 7(1)	Throughout the Act for “Companies Act (Northern Ireland) 1960” substitute “Companies (Northern Ireland) Order 1986”. For “section 399” substitute “Article 3”.
Section 10(5).....	For “section 399” substitute “Article 3”.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART II

Statutory Provisions	Amendment
Section 48.....	<p>(a) In subsection (2) for “subsection (1) of section 163 of the Companies Act (Northern Ireland) 1960” substitute “Article 431(1) of the Companies (Northern Ireland) Order 1986”.</p> <p>(b) In subsection (3) for “section 163(1) of the said Act of 1960” substitute “Article 431(1) of the said Order of 1986”.</p>
Section 49(7).....	For “section 197 or section 199” substitute “Article 418 or Article 420”.
Section 50(3).....	For “section 75” (the second time) substitute “Article 193(1) and (2)”.
Section 53.....	For “that Act of 1960” substitute “that Order of 1986”.
Section 54(2).....	<p>(a) In paragraph (a) for “sections 210 and 211 or section 349 of that Act” substitute “Articles 479 and 480 or Articles 616 to 619 of that Order”.</p> <p>(b) In paragraph (c) for “Article 25 of the Companies (Northern Ireland) Order 1978” substitute “Articles 229 to 231 of the Companies (Northern Ireland) Order 1986”; and for “subsection (3) of section 163 of the said Act of 1960” substitute “Article 433 of the said Order of 1986”.</p>
Section 55.....	<p>(a) In subsection (5) for “paragraphs (1) and (2) of Article 73 of the Companies (Northern Ireland) Order 1978” substitute “paragraphs (1) to (3) of Article 500 of the Companies (Northern Ireland) Order 1986”.</p> <p>(b) In subsection (6) for “section 299(1) of the Companies Act (Northern Ireland) 1960” substitute “Article 584 of the Companies (Northern Ireland) Order 1986”.</p>
Section 56.....	<p>(a) In subsection (4) for “subsections (2) and (3) of section 236A” substitute “Article 517(3)” and for “section 236A of the said Act of 1960” substitute “Article 517 of the said Order of 1986”.</p> <p>(b) In subsection (7) for “section 227(1) of the said Act of 1960” substitute “Article 499(1) the said Order of 1986”.</p>
Section 59.....	(a) In subsection (1) for “section 317” substitute “Article 613”.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 1
PART II

Statutory Provisions	Amendment
Section 59 (contd.)	(b) In subsection (2) for "section 317 of the said Act of 1960" substitute "Article 613 of the said Order of 1986"; and in paragraph (b) of that subsection for "section 287 of the said Act of 1960" substitute "Article 570 of, and Schedule 18 to, the Companies (Northern Ireland) Order 1986".
Section 66.....	For "Article 3 or 11 of the Companies (Northern Ireland) Order 1978" substitute "Articles 235 and 249 or Article 649 of the Companies (Northern Ireland) Order 1986".
Section 71.....	In subsection (4A) after "Companies Act" insert "or Article 442 of the Companies (Northern Ireland) Order 1986".
Section 87.....	(a) In subsection (1) for "Part X" substitute "Part XXIII". (b) In subsection (2) for paragraphs (c) and (d) substitute "(c) Articles 641 to 643, 645 to 652 and 657".
Section 96.....	(a) At the end of the definition of "former Companies Acts" add "and the Companies Acts (Northern Ireland) 1960 to 1983". (b) In the definition of "holding company" for "section 148" substitute "Article 4". (c) In the definition of "insolvent" for "sections 210 and 211 or section 349" substitute "Articles 479 and 480 or Article 616". (d) In the definition of "registrar of companies" for "section 399(1) of the Companies Act (Northern Ireland) 1960" substitute "Article 2 of the Companies (Northern Ireland) Order 1986". (e) In the definition of "subsidiary" for "section 148" substitute "Article 4".
Finance Act 1983 (c. 28):	
Schedule 5.....	In paragraph 5(4) for "Companies Act (Northern Ireland) 1960" substitute "Companies (Northern Ireland) Order 1986".
Trustee Savings Banks Act 1985 (c. 58):	
Schedule 1.....	(a) In paragraph 6(3) for "Article 4(4)(b) of the Companies (Northern Ireland) Order 1978" substitute "Article 232(4) of the Companies (Northern Ireland) Order 1986".

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

Statutory Provisions	Amendment	SCH. 1 PART II
Schedule 1 (contd.)	<p>(b) In paragraph 6(6) in the definition of “corresponding Northern Ireland legislation” for “Companies Acts (Northern Ireland) 1960 to 1982” substitute “Companies (Northern Ireland) Order 1986”.</p> <p>(c) In paragraph 7(5)(b) for “Companies Acts (Northern Ireland) 1960 to 1982” substitute “Companies (Northern Ireland) Order 1986”.</p>	

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

Article 24

SCHEDULE 2

REPEALS

Chapter or Number	Short Title	Extent of Repeal
1960 c. 22 (N.I.)	Companies Act (Northern Ireland) 1960	The whole Act except so much of section 117(2) as relates to courts and tribunals outside Northern Ireland, section 246, so much of sections 312 and 313 as relates to the taking of evidence outside Northern Ireland and section 405(1).
1966 c. 18	Finance Act 1966	In Schedule 6, in paragraph 14, the words "section 287(1)(a)(ii) of the Companies Act (Northern Ireland) 1960".
1969 c. 16 (N.I.)	Theft Act (Northern Ireland) 1969	In Schedule 2, the amendment to the Act of 1960.
1969 c. 30 (N.I.)	Judgments (Enforcement) Act (Northern Ireland) 1969	In section 78, the words "and the Companies Act (Northern Ireland) 1960". In Schedule 2, the amendments to the Act of 1960. In Schedule 4, in Part II, the amendments to the Act of 1960.
1973 c. 38	Social Security Act 1973	In Schedule 27, paragraphs 112 and 115.
1973 c. 48	Pakistan Act 1973	In Schedule 3, paragraph 3.
1975 c. 45	Finance (No. 2) Act 1975	In Part IV of Schedule 12, paragraph 6(1)(e).
1975 NI 15	Social Security Pensions (Northern Ireland) Order 1975	In Schedule 5, paragraph 5.
1978 c. 23	Judicature (Northern Ireland) Act 1978	In Schedule 5, the amendment to the Act of 1960.
1978 NI 12	Companies (Northern Ireland) Order 1978	The whole Order.
1979 NI 13	Industrial Assurance (Northern Ireland) Order 1979	In Schedule 8, the amendments to the Companies (Northern Ireland) Order 1978.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

SCH. 2

Chapter or Number	Short Title	Extent of Repeal
1979 NI 19	Perjury (Northern Ireland) Order 1979	In Schedule 1, paragraph 3.
1979 c. 60	Zimbabwe Act 1979	In Schedule 2, paragraph 4.
1980 NI 4	Bankruptcy Amendment (Northern Ireland) Order 1980	In Schedule 2, paragraphs 78 and 79 and paragraphs 99 and 100.
1980 NI 6	Criminal Justice (Northern Ireland) Order 1980	In Schedule 1, paragraph 82.
1981 NI 6	Judgments Enforcement (Northern Ireland) Order 1981	In Schedule 2, paragraphs 10, 11, 12 and 26.
1981 NI 19	Companies (Northern Ireland) Order 1981	The whole Order.
1981 NI 26	Magistrates' Courts (Northern Ireland) Order 1981	In Schedule 6, paragraph 142.
1982 NI 8	Industrial Relations (Northern Ireland) Order 1982	In Schedule 2, the amendments to the Act of 1960.
1982 NI 17	Companies (Northern Ireland) Order 1982	The whole Order.
1982 c. 41	Stock Transfer Act 1982	In Schedule 2, paragraphs 7 and 8.
1982 c. 50	Insurance Companies Act 1982	Section 47A(3). Section 47B(2). In section 100(3), the words "except sections 47A, 47B and 71(4A)". In Schedule 4, paragraph 18. In Schedule 5, the amendments to the Act of 1960 and the Companies (Northern Ireland) Order 1978.
1983 NI 12	Companies (Beneficial Interests) (Northern Ireland) Order 1983	The whole Order.
1984 NI 3	Fines and Penalties (Northern Ireland) Order 1984	Article 5(8).
1985 c. 17	Reserve Forces (Safeguard of Employment) Act 1985	In Schedule 4, paragraph 2.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes, in connection with the consolidation of the Companies Acts 1960 to 1983 and other statutory provisions relating to companies, provision for transitional matters and savings, repeals and consequential amendments of other statutory provisions.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

This Table has no official status

TABLE OF DERIVATIONS

The following abbreviations are used in this Table:—

- “1960” = Companies Act (Northern Ireland) 1960 (c. 22 (N.I.))
- “1978” = Companies (Northern Ireland) Order 1978 (NI 12),
- “1981” = Companies (Northern Ireland) Order 1981 (NI 19),
- “1982” = Companies (Northern Ireland) Order 1982 (NI 17).

NOTES

1. The entry “Drafting” in the column of derivations indicates that the Article in question does not reproduce any specific provision of the Companies Acts repealed by this Order, but is required for accuracy in the Order’s provisions.

2. Article 25 of the Order, with the heading “Continuity of law”, contains savings and transitional provisions of the character to be found in any conventional consolidation. It does not reproduce any specific provision of a statutory provision repealed by this Order.

3. The entry “Consequential” in the column of derivations indicates amendments of statutory provisions required to maintain their consistency with the provisions of the consolidation.

Article of Order	Derivation
1.	Title and commencement.
2.	Interpretation.
3.	1981 Art. 10(1), (2).
4.	1981 Art. 10(3)–(7).
5.	1981 Art. 10(11).
6.	1981 Art. 10(8)–(10), (12).
7.	1981 Art. 11.
8.	1981 Arts. 39(12), 40(1), (2)(d).
9.	1981 Art. 17(5).
10.	1981 Art. 78(1), (3)(b), (4).
11.	1981 Art. 33(1)(b), (2).
12.	1960 s. 21(1) (in part).
13.	1978 Art. 132(2).
14.	1982 Arts. 37(3), 40, 41(4)–(7), 42.
15.	1960 s. 90.
16.	1960 s. 175 (in part).
17.	1960 s. 180.
18.	1982 Art. 104(2).
19.	1960 s. 290(2).
20.	Drafting.
21.	1960 s. 404.
22.	1978 Arts. 109, 112(1); 1982 Arts. 102(3), 103(1)–(3); 1982 c. 50 Sch. 5 para. 19.
23.	Consequential.

**THE COMPANIES CONSOLIDATION
(CONSEQUENTIAL PROVISIONS) (NI) ORDER 1986
1986/1035 (NI 9)**

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24.	—
25.	See Note 2.
Sch 1.	Consequential.
Sch 2.	—

STATUTORY INSTRUMENTS

1986 No. 1035 (N.I. 9)

NORTHERN IRELAND

**The Companies Consolidation
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