

SCHEDULES

SCHEDULE 5

Section 35.

SATISFACTION OF COMPENSATION BY ISSUE OF COMPENSATION STOCK

- 1 In this Schedule “the principal section” means section 35 above.
- 2 This Schedule applies to securities which are vested in a Corporation by virtue of Part II of this Act and in respect of the vesting of which compensation stock falls to be issued under the principal section ; and, in relation to any such securities, any reference in this Schedule to the date of transfer is a reference to the date of transfer of the company whose securities they are.
- 3 (1) During the period beginning with the date of transfer and ending immediately before the conversion date, the persons who, immediately before the date of transfer, were the holders of securities to which this Schedule applies shall have the right to have the amount of compensation stock to which they are entitled in accordance with the principal section less any amount issued to them by virtue of the application of subsections (1), (2), (5) and (9) of that section to section 36(6) above.
- (2) During the period specified in sub-paragraph (1) above, the right specified in that sub-paragraph shall be transferable in the like manner as the securities concerned were transferable, before the date of transfer, and the Corporation in which those securities vest shall make arrangements for recording the persons who are the holders thereof.
- 4 Every holder of any such right as is specified in paragraph 3(1) above shall, by virtue of this Act, become instead on the conversion date the holder of the amount of compensation stock to which he is entitled as mentioned in that paragraph.
- 5 The interest on compensation stock issued in respect of securities to which this Schedule applies shall be treated as accruing as from the date of transfer.
- 6 In any case where—
 - (a) by virtue of the preceding provisions of this Schedule, a person who immediately before the date of transfer was the holder of any securities to which this Schedule applies becomes instead the holder of compensation stock, or
 - (b) there is conferred on a person the right specified in paragraph 3(1) above, he shall hold that stock or right in the same right and on the same trusts and subject to the same powers, privileges, charges, restraints and liabilities as those in, on or subject to which he held the securities by virtue of which he acquired the stock or right; and any provision of any deed, will, disposition or other instrument and any statutory provision as to what is to be done by the holder of the securities or the redemption moneys thereof shall, with any necessary modifications, have the like effect in relation to the compensation stock or the right as it would have had in relation to the securities if they had not vested in a Corporation by virtue of this Act.
- 7 Nothing in this Schedule affects the making of any payment of interest or dividend, in accordance with section 25 of this Act, to the holders of securities to which this Schedule applies.

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

- 8 The power conferred on the Treasury by section 74 of the Finance Act 1948 to direct, in connection with any statutory scheme for the carrying on of an industry under national ownership under which provision is made for the transfer of the undertaking of a body corporate, that as from the date of the transfer of the undertaking transfers of the securities of the body corporals shall be exempt from all stamp duties, shall extend to a direction, as respects the right specified in paragraph 3(1) above, that, as from the date of transfer, transfers of that right shall be so exempt.
- 9 Each Corporation shall have, in relation to the right specified in paragraph 3(1) above, the like power as the company which issued the securities by virtue of which that right is conferred has, in relation to those securities, under the Forged Transfers Acts 1891 and 1892.