

SCHEDULES

SCHEDULE 2

Section 10(1).

TRANSITIONAL PROVISIONS

- 1 (1) Subject to the following provisions of this paragraph, subsections (2) to (6) of section 12 of the Act of 1977 (provisions with respect to loans made to British Aerospace or British Shipbuilders by the Secretary of State under section 12(1)) shall continue to apply in relation to any loan made to British Aerospace by the Secretary of State under that section in respect of which any outstanding liability of British Aerospace becomes a liability of the successor company by virtue of section 1 of this Act.
- (2) No further directions may be given by the Secretary of State under section 12(2) as it applies in relation to any such loan by virtue of sub-paragraph (1) above, but those applying to any such loan immediately before the appointed day shall apply in relation to payments by the successor company in respect of the loan under section 12(2).
- (3) In relation to sums received from the successor company by virtue of this paragraph the reference in section 12(4) to British Aerospace shall be taken as referring to the successor company.
- 2 (1) Section 2 of this Act shall not operate to extinguish any liability of British Aerospace under section 15 of the Act of 1977 (commencing capital of each Corporation)—
- (a) to repay any part of the principal of its commencing debt which falls due for repayment before the appointed day; or
- (b) to pay interest on its commencing debt in respect of a period falling before that day.
- (2) The terms applicable to any such liability immediately before the appointed day by virtue of section 15(4) shall continue to apply to that liability after it becomes a liability of the successor company by virtue of section 1 of this Act, and section 15(5) shall continue to apply to sums received by the Secretary of State from the successor company by virtue of this paragraph.
- 3 Section 2 of this Act shall not operate to extinguish—
- (a) any liability of British Aerospace under section 16 of the Act of 1977 (public dividend capital and public dividends) to make any payment in pursuance of section 16(2) in respect of a period falling before the appointed day; or
- (b) any liability of British Aerospace under section 45 of that Act (other payments to British Aerospace) to make any payment in respect of the capital amounts mentioned in section 2(c) of this Act corresponding to a payment under section 16(2) and relating to a period falling before the appointed day;
- and any sums received by the Secretary of State from the successor company in discharge of any such liability shall be paid into the Consolidated Fund.

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

- 4 (1) Section 41(5) or (as the case may be) section 44(5) of the Act of 1977 shall apply to any sums repaid to the Secretary of State by the successor company in discharge of any liability of British Aerospace under section 41(4) or section 44(4) which became a liability of that company on the appointed day.
- (2) Section 44(4) (as it has effect by virtue of section 10(1) of this Act) shall not require the Secretary of State to demand repayment from British Shipbuilders of the whole of any amounts paid by him in respect of his expenses under section 44, but he may instead, if he thinks fit, require repayment of such proportion only of any such amounts as in his opinion ought to be defrayed by that Corporation.
- 5 (1) Any record kept in accordance with arrangements made by British Aerospace before the appointed day under paragraph 3(2) of Schedule 5 to the Act of 1977 shall be maintained by the Secretary of State during such part of the period specified in paragraph 3(1) as falls after that day ; and paragraph 9 of that Schedule shall apply to the Secretary of State as it applies to British Shipbuilders.
- (2) The reference in paragraph 14 of Schedule 6 to the Act of 1977 to any record kept by British Shipbuilders under Schedule 5 shall include a reference to any record maintained by the Secretary of State in accordance with this paragraph.
- 6 The repeals made by this Act in the House of Commons Disqualification Act 1975 and the Northern Ireland Assembly Disqualification Act 1975, and the corresponding repeal in section 1(10) of the Act of 1977, shall not take effect until British Aerospace is dissolved.