

SCHEDULE 1

PART 3

DEMATERIALIZED LOAN INSTRUMENTS

Modification of Part IV of the Local Government and Housing Act 1989

- 19.** In section 43(4)–
- (a) for “document which, directly or by reference to any other document”, substitute “security which is constituted by a record (whether or not in the form of a document), which”;
 - (b) in subparagraph (d), for “instrument”, substitute “security”;
 - (c) after subparagraph (d), insert–
 - “(da) states that uncertificated units of the security are transferable in no other manner than by means of a relevant system in accordance with the 2001 Regulations; and”;
 - (d) in subparagraph (e), for “an instrument which is transferable by delivery”, substitute “a security which is an eligible debt security within paragraph (a) of the definition of “eligible debt security” in regulation 3(1) of the 2001 Regulations”.
- 20.** In section 43(5), for “any document”, substitute “any security”.
- 21.** After section 43(5), add–
- “(5A) No regulation under subsection (5) applies in relation to uncertificated units of a loan instrument to the extent that it is inconsistent with–
 - (a) the holding of such units in uncertificated form;
 - (b) the transfer of title to such units by means of a relevant system; or
 - (c) the 2001 Regulations.”.
- 22.** In section 46–
- (a) in paragraph (a) of subsection (4), for “an instrument (whether or not being a loan instrument) transferable by delivery”, substitute “uncertificated units of a loan instrument”;
 - (b) for subsection (8), substitute–
 - “(8) A certified copy of the kind referred to in subsection (7) is not evidence of title to an uncertificated unit of a loan instrument.”.
- 23.** In section 66(1)–
- (a) after paragraph (a), insert–
 - “(aa) “relevant system”, “security”, “uncertificated” and “unit” have the same meaning as in the 2001 Regulations;”;
 - (b) after paragraph (d), add–
 - “(da) “the 2001 Regulations” means the Uncertificated Securities Regulations 2001(1);”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.