
STATUTORY INSTRUMENTS

2005 No. 1788

The Community Interest Company Regulations 2005

PART 9

The registrar of companies

Modifications and amendments

34.—(1) The registrar of companies shall not cause to be published in the Gazette notice pursuant to section 711 of the 1985 Act of the receipt of documents under sections 37 or 54 of the 2004 Act unless the registrar records those documents pursuant to sections 38(6) or 55(6) of the 2004 Act.

(2) In section 715A of the 1985 Act⁽¹⁾ (interpretation), after subsection (2) insert—

“(3) References in this Part to the Companies Acts include Part 2 of the Companies (Audit, Investigations and Community Enterprise) Act 2004.”

(3) In section 710B(1)(a) of the 1985 Act⁽²⁾ (documents relating to Welsh companies), for “or the Insolvency Act 1986” substitute “, the Insolvency Act 1986 or Part 2 of the Companies (Audit, Investigations and Community Enterprise) Act 2004”.

(4) For the purposes of Part 24 of the 1985 Act, these Regulations shall be regarded as provisions of Part 2 of the 2004 Act.

Documents

35.—(1) The registrar of companies shall, on receiving any notice under section 109(1) of the Insolvency Act 1986⁽³⁾ (notice by liquidator of his appointment) in relation to a community interest company, provide a copy of that notice to the Regulator.

(2) The registrar of companies shall, on receiving any copy of a winding-up order forwarded under section 130(1) of the Insolvency Act 1986⁽⁴⁾ (consequences of a winding-up order) in relation to a community interest company, provide the Regulator with a copy of that winding-up order.

(1) Section 715A of the 1985 Act was inserted by section 127(1) of the Companies Act 1989.
(2) Section 710B of the 1985 Act was inserted by section 30(6) of the Welsh Language Act 1993 (c. 38).
(3) Section 109 of the Insolvency Act 1986 has been modified in relation to Scotland. By virtue of sub-paragraphs 23(4) and (5) of Schedule 8 to the Scotland Act 1998 (c. 46) (as amended by S.I.2001/3649) anything directed to be done to the registrar of companies in Scotland by virtue of section 109(1) of the Insolvency Act 1986, shall instead be done to the Accountant in Bankruptcy.
(4) Section 130 of the Insolvency Act 1986 has been modified in relation to Scotland. By virtue of sub-paragraphs 23(2) and (3) of Schedule 8 to the Scotland Act 1998 (as amended by article 360 of S.I. 2001/3649) anything directed to be done to the registrar of companies in Scotland by virtue of section 130(1) of the Insolvency Act 1986, shall also be done to the Accountant in Bankruptcy.