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STATUTORY INSTRUMENTS

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**2007 No. 1093 (C. 49)**

**COMPANIES**

The Companies Act 2006 (Commencement  
No. 2, Consequential Amendments, Transitional  
Provisions and Savings) Order 2007

*Made* - - - - - *29th March 2007*

*Coming into force* *6th April 2007*

**THE COMPANIES ACT 2006 (COMMENCEMENT NO.  
2, CONSEQUENTIAL AMENDMENTS, TRANSITIONAL  
PROVISIONS AND SAVINGS) ORDER 2007**

1. Citation, interpretation and coming into force
2. Provisions coming into force on 6th April 2007
3. Transitional adaptations of provisions brought into force
4. Interpretation of provisions brought into force
5. Repeals
6. Consequential amendments
7. Consequential repeals and revocations
8. Transitional provisions and savings
9. (1) Section 992 of the Companies Act 2006 (matters to...
10. Section 1297 of the Companies Act 2006 (continuity of the...
11. (1) Nothing in this Order affects the application of any...  
Signature

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**SCHEDULE 1 — TRANSITIONAL ADAPTATIONS OF PROVISIONS BROUGHT  
INTO FORCE**

1. The Companies Acts
2. Takeovers etc
3. (1) Section 953 (failure to comply with rules about bid...
4. (1) Section 968 (consequences of opting-in in relation to contractual...
5. Service of documents on a company

**SCHEDULE 2 — REPEALS BROUGHT INTO FORCE**  
**PART 1 — GREAT BRITAIN**

*Status: This is the original version (as it was originally made).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

## PART 2 — NORTHERN IRELAND

### SCHEDULE 3 — AMENDMENTS IN CONSEQUENCE OF PROVISION MADE IN PART 28 OF THE COMPANIES ACT 2006 (TAKEOVERS ETC)

1. The 1985 Act
2. The 1986 Order
3. The Income Tax (Earnings and Pensions) Act 2003
4. The Companies (Forms) (Amendment) Regulations 1987
5. (1) Part 2 of Schedule 2 to those Regulations is...
6. The Companies (Forms) (Amendment No. 3) Regulations (Northern Ireland) 1991
7. (1) Part 2 of Schedule 2 to those Regulations is...
8. The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001
9. The Uncertificated Securities Regulations 2001
10. The Financial Services and Markets Act 2000 (Financial Promotion) Order 2005

### SCHEDULE 4 — CONSEQUENTIAL AMENDMENTS

#### PART 1 — AMENDMENTS OF THE COMPANIES (AUDIT, INVESTIGATIONS AND COMMUNITY ENTERPRISE) ACT 2004

1. In section 26 (community interest companies), in subsection (3)(a) for...
2. In section 32 (memorandum and articles)— (a) in subsection (2),...
3. In section 33 (names), in subsection (5) for “Section 25...”
4. In section 34 (community interest company reports)—
5. In section 35(5) (definition of “community”) for “Great Britain” substitute...
6. In section 36 (new companies)— (a) in subsections (1) and...
7. In section 37 (existing companies: requirements)— (a) in subsection (1) (b)...
8. In section 38 (existing companies: decisions etc), in subsections (6)...
9. In section 39 (existing companies: charities)— (a) in the heading,...
10. In section 40 (existing companies: Scottish charities)—
11. After section 40 insert— Existing companies: Northern Ireland charities (1)  
A company that is a Northern Ireland charity may...
12. In section 43 (audit)— (a) in subsection (2), after “section...”
13. In section 45 (appointment of director)— (a) in subsection (8),...
14. In section 46 (removal of director)— (a) in subsection (10)(a),...
15. In section 47 (appointment of manager), in subsection (6)(a) after...
16. In section 48 (property), in subsection (10) for the words...
17. In section 51 (dissolution and striking off)—
18. In section 52 (re-registration)— (a) in subsection (1), for “section...”
19. (1) Section 54 (becoming a charity or a Scottish charity:...
20. In section 55 (becoming a charity or a Scottish charity:...
21. In section 56 (becoming an industrial and provident society), in...
22. In section 58 (extension of provisions about registrar etc)—
23. In section 59 (information), in subsection (9) for the words...
24. (1) In section 63 (interpretation), subsection (1) is amended as...
25. In section 66 (extent), in subsection (2) after “18” insert...
26. (1) Schedule 7 (community interest companies: investigations) is amended as...

## PART 2 — AMENDMENTS OF THE COMMUNITY INTEREST COMPANY REGULATIONS 2005

27. In regulation 2 (interpretation)— (a) after the definition of “the...
28. In regulation 3 (political activities not to be treated as...
29. In regulation 9 (requirements as to memorandum and articles: alternative...
30. In regulation 12 (prescribed conversion documents), for paragraph (1)(c) substitute—...
31. In regulation 14 (documents to be delivered to registrar of...
32. In regulation 15 (decisions etc)— (a) in paragraph (1), after...
33. In regulation 16 (exemptions), omit “or a Scottish charity”.
34. In regulation 18 (maximum dividend per share), in paragraph (3)...
35. In regulation 21 (the interest cap), in paragraph (4) after...
36. In regulation 23 (distribution of assets on a winding up),...
37. In regulation 26 (community interest company reports: general)—
38. In regulation 29 (application of the 1985 Act)—
39. In regulation 34 (registrar of companies: modification of enactments)—
40. In regulation 35 (documents to be copied to the Regulator...
41. In regulation 38 (notice of appeal), in paragraph (1)(b) for...
42. In Schedule 1 (requirements for memorandum or articles: company without...
43. In Schedule 2 (requirements for memorandum or articles: company with...
44. In Schedule 3 (alternative requirements for memorandum or articles)—
45. In Schedule 5 (fees payable to the registrar of companies)—...

## PART 3 — AMENDMENTS OF OTHER ENACTMENTS

46. Northern Ireland Assembly Disqualification Act 1975
47. The 1986 Order
48. In Article 36 (prohibition on registration of certain names)—
49. In Article 37(4) (alternatives of statutory designations), after subparagraph (b)...
50. In Article 40(7) (further exemptions for company exempt from using...
51. After Article 44 insert— Penalty for improper use of “community...
52. In Article 53(2)(b) (re-registration of private company as public: alteration...
53. In Article 359(1)(d) (particulars in correspondence to indicate that a...
54. In Schedule 15D (disclosures), in paragraph 36—
55. In Schedule 23 (punishment of offences), after the entry relating...
56. Insolvency (Northern Ireland) Order 1989
57. Commissioner for Complaints (Northern Ireland) Order 1996
58. Limited Liability Partnerships Act (Northern Ireland) 2002

## SCHEDULE 5 — CONSEQUENTIAL REPEALS AND REVOCATIONS

### SCHEDULE 6 — SAVINGS

1. Savings for provisions relating to takeovers
2. The revocation of the Interim Regulations by article 7 does...
3. The revocation of the Interim Regulations by article 7, and...
4. Saving for provisions relating to community interest companies
5. Saving for provision relating to directors’ report

Explanatory Note