
STATUTORY INSTRUMENTS

2008 No. 2860

**The Companies Act 2006 (Commencement No. 8,
Transitional Provisions and Savings) Order 2008**

Provisions of the Companies Act 2006 coming into force on 1st October 2009

3. The following provisions of the Companies Act 2006 come into force on 1st October 2009—
- (a) in Part 1 (general introductory provisions)—
 - section 1 (companies);
 - sections 3 to 6 (types of company);
 - (b) Part 2 (sections 7 to 16) (company formation);
 - (c) in Part 3 (a company's constitution)—
 - section 17 (a company's constitution);
 - sections 18 to 28 (articles of association);
 - sections 31 to 38 (other provisions relating to a company's constitution);
 - (d) in Part 4 (a company's capacity and related matters)—
 - sections 39 to 42 (capacity of company and power of directors to bind it);
 - sections 43 and 45 to 47 (formalities of doing business under the law of England and Wales or Northern Ireland);
 - section 48 (formalities of doing business under the law of Scotland);
 - sections 49 to 52 (other matters);
 - (e) in Part 5 (a company's name)—
 - sections 53 to 57 (general requirements);
 - sections 58 to 65 (indications of company type or legal form);
 - sections 66 to 68 (similarity to other names);
 - sections 75 and 76 (powers of Secretary of State in relation to company names);
 - sections 77 to 81 (change of name);
 - (f) Part 6 (sections 86 to 88) (a company's registered office);
 - (g) Part 7 (sections 89 to 111) (re-registration as a means of altering a company's status);
 - (h) in Part 8 (a company's members)—
 - section 112 (the members of a company);
 - sections 113 to 115 and 120 and 122 to 127 (register of members);
 - sections 129 to 135 (overseas branch registers);
 - sections 136 to 144 (prohibition on subsidiary being member of its holding company);
 - (i) in Part 10 (a company's directors)—
 - sections 162 to 167 (register of directors);

- sections 240 to 246 (directors' residential addresses: protection from disclosure);
section 247 (power to make provision for employees on cessation or transfer of business);
- (j) in Part 12 (company secretaries), sections 275 to 279 (register of secretaries);
- (k) in Part 17 (a company's share capital)—
sections 540 to 543 and 545 to 548 (shares and share capital);
sections 549 to 559 (allotment of shares: general provisions);
sections 560 to 577 (allotment of equity securities: shareholders' right of pre-emption);
sections 578 and 579 (public companies: allotment where issue not fully subscribed);
sections 580 to 592 (payment for shares);
sections 593 to 609 (public companies: independent valuation of non-cash consideration);
sections 610 to 616 (share premiums);
sections 617 to 628 (alteration of share capital);
sections 629 to 640 (classes of share and class rights);
sections 641(1)(b) and 645 to 653 (reduction of share capital confirmed by the court);
sections 655 to 657 (miscellaneous and supplementary provisions);
- (l) Part 18 (sections 658 to 737) (acquisition by limited company of its own shares);
- (m) Part 24 (sections 854 to 859) (a company's annual return);
- (n) Part 25 (sections 860 to 894) (company charges);
- (o) Part 31 (sections 1000 to 1034) (dissolution and restoration to the register);
- (p) in Part 33 (UK companies not formed under companies legislation), sections 1040 to 1042 (companies not formed under companies legislation but authorised to register);
- (q) Part 34 (sections 1044 to 1059) (overseas companies);
- (r) in Part 35 (the registrar of companies)—
sections 1060 to 1062 (the registrar);
section 1063 (fees payable to registrar), so far as not already in force;
sections 1064 to 1067 (certificates of incorporation and registered numbers);
sections 1068(1) to (4), (6) and (7) and 1069 to 1071 (delivery of documents to the registrar);
sections 1072 to 1076 (requirements for proper delivery);
sections 1081 to 1084 (the register);
sections 1093 to 1098 (correction or removal of material on the register);
sections 1099 to 1101 (the registrar's index of company names);
sections 1108 to 1110 (language requirements: transliteration);
sections 1112 to 1120 (supplementary provisions);
- (s) in Part 36 (offences under the Companies Acts)—
sections 1121 to 1123 (liability of officer in default);
section 1125 (meaning of "daily default fine");
sections 1127 to 1133 (other provisions);

- (t) in Part 37 (companies: supplementary provisions)—
 - sections 1134 to 1136, 1137(2), (3) and (5)(a) and 1138 (company records);
 - sections 1139 to 1142 (service addresses);
 - sections 1149 to 1153 (requirements as to independent valuation);
 - sections 1154 and 1155 (notice of appointment of certain officers);
 - section 1156 (meaning of “the court”);
- (u) in Part 38 (companies: interpretation)—
 - section 1158 (meaning of “UK-registered company”);
 - sections 1159 and 1160 and Schedule 6 (meaning of “subsidiary” and related expressions);
 - section 1163 (meaning of “non-cash asset”);
 - section 1166 (meaning of “employees’ share scheme”);
 - sections 1168, 1171, 1173 (so far as not already in force) and 1174 and Schedule 8 (other definitions etc);
- (v) in Part 39 (companies: minor amendments)—
 - section 1180 (repeal of certain provisions about company charges);
 - section 1181 (access to constitutional documents of RTE and RTM companies);
- (w) Part 40 (sections 1182 to 1191) (company directors: foreign disqualification);
- (x) Part 41 (sections 1192 to 1208) (business names);
- (y) in Part 44 (miscellaneous provisions)—
 - section 1275 (levy to pay expenses of bodies concerned with actuarial standards etc);
 - section 1283 (commonhold associations);
- (z) Part 45 (sections 1284 to 1287) (Northern Ireland).