



Companies Act 2006

2006 CHAPTER 46

PART 21

CERTIFICATION AND TRANSFER OF SECURITIES

CHAPTER 2

EVIDENCING AND TRANSFER OF TITLE TO SECURITIES WITHOUT WRITTEN INSTRUMENT

Powers exercisable

786 Provision enabling or requiring arrangements to be adopted

- (1) Regulations under this Chapter may make provision—
 - (a) enabling the members of a company or of any designated class of companies to adopt, by ordinary resolution, arrangements under which title to securities is required to be evidenced or transferred (or both) without a written instrument; or
 - (b) requiring companies, or any designated class of companies, to adopt such arrangements.
- (2) The regulations may make such provision—
 - (a) in respect of all securities issued by a company, or
 - (b) in respect of all securities of a specified description.
- (3) The arrangements provided for by regulations making such provision as is mentioned in subsection (1)—
 - (a) must not be such that a person who but for the arrangements would be entitled to have his name entered in the company's register of members ceases to be so entitled, and

Status: This is the original version (as it was originally enacted).

- (b) must be such that a person who but for the arrangements would be entitled to exercise any rights in respect of the securities continues to be able effectively to control the exercise of those rights.
- (4) The regulations may—
- (a) prohibit the issue of any certificate by the company in respect of the issue or transfer of securities,
 - (b) require the provision by the company to holders of securities of statements (at specified intervals or on specified occasions) of the securities held in their name, and
 - (c) make provision as to the matters of which any such certificate or statement is, or is not, evidence.
- (5) In this section—
- (a) references to a designated class of companies are to a class designated in the regulations or by order under section 787; and
 - (b) “specified” means specified in the regulations.