
STATUTORY INSTRUMENTS

1998 No. 1747 (C.34)

COMPANIES

The Companies Act 1989 (Commencement No. 17) Order 1998

Made - - - -

14th July 1998

The Treasury, in exercise of the powers conferred by section 215(2) of the Companies Act 1989⁽¹⁾ that are now vested in them⁽²⁾, hereby make the following Order:—

1. This Order may be cited as the Companies Act 1989 (Commencement No. 17) Order 1998.
2. Insofar as they are not yet in force, sections 185 and 186 of the Companies Act 1989 shall come into force on 10th August 1998.

Graham Allen
Bob Ainsworth
Two of the Lords Commissioners of Her
Majesty's Treasury

(1) 1989 c. 40.

(2) By virtue of article 2(2)(c)(i) of the Transfer of Functions (Financial Services) Order 1992 (S.I. 1992/1315), the functions originally vested in the Secretary of State under section 215(2) of the Companies Act 1989, so far as it relates to the bringing into force of any provisions of Part VII of that Act, have been transferred to the Treasury.

Status: This is the original version (as it was originally made).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

EXPLANATORY NOTE

(This note is not part of the Order)

The Order brings sections 185 and 186 of the Companies Act 1989 (c. 40) (“the 1989 Act”) into force on [date] insofar as they are not already in force. Section 185 enables the Treasury to make by regulation further provision as appears to them necessary for the purposes of Part VII of the 1989 Act which provides for the application of insolvency law to financial markets. Section 186 provides that different provisions can be made in such regulations for different cases. Both these sections were brought into force in part by the Companies Act 1989 (Commencement No. 9 and Transitional and Savings Provisions) Order 1991 (S.I. 1991/488).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The provisions of the Companies Act 1989 (“the 1989 Act”) brought into force by Orders made before the making of the Companies Act 1989 (Commencement No. 15 and Transitional and Savings Provisions) Order 1995 (S.I. 1995/1352) are set out in a note appended to that Order.

The Companies Act 1989 (Commencement No. 15 and Transitional and Savings Provisions) Order brings certain provisions of the 1989 Act into force on 3rd July 1995 subject to the transitional and savings provisions set out in the Order. The provisions in question are section 140(1) to (6) (which amends sections 463 and 464 of the Companies Act 1985 (“the 1985 Act”) in relation to floating charges in Scotland), a consequential repeal made by Schedule 24 to the 1989 Act to section 464 of the 1985 Act, the repeal by Schedule 24 to the 1989 Act of the definition of “annual return” in section 744 of the 1985 Act, and paragraph 20 of Schedule 19 to the 1989 Act which inserts a new section 744A (index of defined expressions) into the 1985 Act.

The Companies Act 1989 (Commencement No. 16) Order 1995 (S.I. 1995/1591) brings sections 171, 176 and 181 of the 1989 Act into force on 4th July 1995.