



# Companies Act 1989

## 1989 CHAPTER 40

### PART X

#### MISCELLANEOUS AND GENERAL PROVISIONS

##### *General*

#### 212 Repeals. **U.K.**

The enactments mentioned in Schedule 24 are repealed to the extent specified there.

##### **Extent Information**

**E1** For information relating to the extent of this section see [s. 213](#)

##### **Commencement Information**

**I1** [S. 212](#) partly in force: [s. 212](#) partly in force at Royal Assent see [s. 215\(1\)\(2\)](#); [s. 212](#) in force for certain purposes at 1.7.1991 by [S.I. 1991/488](#), [art. 2\(4\)](#); [s. 212](#) partly in force for certain purposes at 1.10.1991 and 1.11.1991 by [S.I. 1991/1996](#), [art. 2\(1\)\(2\)](#); [s. 212](#) in force for certain purposes at 3.7.1995 by [S.I. 1995/1352](#), [art. 3\(c\)\(i\)\(ii\)](#)

#### 212 Repeals. **E+W+S**

The enactments mentioned in Schedule 24 are repealed to the extent specified there.

#### 213 Provisions extending to Northern Ireland.

- (1) The provisions of this Act extend to Northern Ireland so far as they amend, or provide for the amendment of, an enactment which so extends.
- (2) So far as any provision of this Act amends the <sup>M1</sup>Companies Act 1985 or the <sup>M2</sup>Insolvency Act 1986, its application to companies registered or incorporated

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in Northern Ireland is subject to section 745(1) of the Companies Act 1985 or section 441(2) of the Insolvency Act 1986, as the case may be.

- (3) In Part III (investigations and powers to obtain information), sections 82 to 91, (powers exercisable to assist overseas regulatory authorities) extend to Northern Ireland.
- (4) Part VI (mergers and related matters) extends to Northern Ireland.
- (5) In Part VII (financial markets and insolvency) the following provisions extend to Northern Ireland—
  - (a) sections 154 and 155 (introductory provisions and definition of “market contract”),
  - (b) section 156 and Schedule 21 (additional requirements for recognition of investment exchange or clearing house),
  - (c) sections 157, 160, 162, and 166 to 169 (provisions relating to recognised investment exchanges and clearing houses),
  - (d) sections 170 to 172 (power to extend provisions to other financial markets),
  - (e) section 184 (indemnity for certain acts), and
  - (f) sections 185 to 191 (supplementary provisions).
- (6) Part VIII (amendments of<sup>M3</sup>Financial Services Act 1986) extends to Northern Ireland.
- (7) Part IX (transfer of securities) extends to Northern Ireland.

Subject to any Order made after the passing of this Act by virtue of section 3(1)(a) of the<sup>M4</sup>Northern Ireland Constitution Act 1973, the transfer of securities shall not be a transferred matter for the purposes of that Act but shall for the purposes of section 3(2) be treated as specified in Schedule 3 to that Act.

- (8) In Part X (miscellaneous and general provisions), this section and sections 214 to 216 (general provisions) extend to Northern Ireland.
- (9) Except as mentioned above, the provisions of this Act do not extend to Northern Ireland.

#### Marginal Citations

- M1** 1985 c. 6.  
**M2** 1986 c. 45.  
**M3** 1986 c. 60.  
**M4** 1973 c. 36.

#### 214 Making of corresponding provision for Northern Ireland.

- (1) An Order in Council under paragraph 1(1)(b) of Schedule 1 to the<sup>M5</sup>Northern Ireland Act 1974 (legislation for Northern Ireland in the interim period) which contains a statement that it is only made for purposes corresponding to the purposes of provisions of this Act to which this section applies—
  - (a) shall not be subject to paragraph 1(4) and (5) of that Schedule (affirmative resolution of both Houses of Parliament), but
  - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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- (2) The provisions of this Act to which this section applies are—
- (a) Parts I to V, and
  - (b) Part VII, except sections 156, 157, 169 and Schedule 21.

**Marginal Citations**

**M5** 1974 c. 28.

**215 Commencement and transitional provisions.**

- (1) The following provisions of this Act come into force on Royal Assent—
- (a) in Part V (amendments of company law), section 141 (application to declare dissolution of company void);
  - (b) in Part VI (mergers)—
    - (i) sections 147 to 150, and
    - (ii) paragraphs 2 to 12, 14 to 16, 18 to 20, 22 to 25 of Schedule 20, and section 153 so far as relating to those paragraphs;
  - (c) in Part VIII (amendments of the <sup>M6</sup>Financial Services Act 1986), section 202 (offers of short-dated debentures);
  - (d) in Part X (miscellaneous and general provisions), the repeals made by Schedule 24 in sections 71, 74, 88 and 89 of, and Schedule 9 to, the <sup>M7</sup>Fair Trading Act 1973, and section 212 so far as relating to those repeals.
- (2) The other provisions of this Act come into force on such day as the Secretary of State may appoint by order made by statutory instrument; and different days may be appointed for different provisions and different purposes.
- (3) An order bringing into force any provision may contain such transitional provisions and savings as appear to the Secretary of State to be necessary or expedient.
- (4) The Secretary of State may also by order under this section amend any enactment which refers to the commencement of a provision brought into force by the order so as to substitute a reference to the actual date on which it comes into force.

**Subordinate Legislation Made**

**P1** Power of appointment conferred by s. 215(2) partly exercised: [S.I. 1990/98](#), 142, 354, 355, 713, 1392, 1707, 2569  
[S. 215\(2\)](#) power partly exercised: 1.1.2005 appointed for specified provisions by [{S.I. 2004/3322}](#), art. 2(1)

**Marginal Citations**

**M6** 1986 c. 60.

**M7** 1973 c. 41.

**216 Short title.**

This Act may be cited as the Companies Act 1989.

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