



Companies Act 1989

1989 CHAPTER 40

PART X

MISCELLANEOUS AND GENERAL PROVISIONS

Miscellaneous

208 Summary proceedings in Scotland for offences in connection with disqualification of directors.

In section 21 of the ^{M1}Company Directors Disqualification Act 1986 (application of provisions of the ^{M2}Insolvency Act 1986), after subsection (3) add—

“(4) For the purposes of summary proceedings in Scotland, section 431 of that Act applies to summary proceedings for an offence under section 11 or 13 of this Act as it applies to summary proceedings for an offence under Parts I to VII of that Act.”.

Marginal Citations

M1 1986 c. 46.

M2 1986 c. 45.

209 Prosecutions in connection with insider dealing.

In section 8 of the ^{M3}Company Securities (Insider Dealing) Act 1985 (punishment of contraventions), in subsection (2) (institution of proceedings in England and Wales), for “by the Secretary of State or by, or with the consent of, the Director of Public Prosecutions” substitute “by, or with the consent of, the Secretary of State or the Director of Public Prosecutions”.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Companies Act 1989, Cross Heading: Miscellaneous. (See end of Document for details)

Marginal Citations

M3 1985 c. 8.

210 Restriction of duty to supply statements of premium income.

- (1) Schedule 3 to the ^{M4}Policyholders Protection Act 1975 (provisions with respect to levies on authorised insurance companies) is amended as follows.
- (2) For paragraph 4 (statements of premium income to be sent to Secretary of State) substitute—

“4

- (1) The Secretary of State may by notice in writing require an authorised insurance company to send him a statement of—
 - (a) any income of the company for the year preceding that in which the notice is received by the company which is income liable to the general business levy, and
 - (b) any income of the company for that year which is income liable to the long term business levy.
- (2) An authorised insurance company which receives a notice under this paragraph shall send the statement required by the notice to the Secretary of State within three months of receiving the notice.
- (3) Where an authorised insurance company is required under this paragraph to send a statement to the Secretary of State in respect of income of both descriptions mentioned in sub-paragraph (1)(a) and (b) above it shall send a separate statement in respect of income of each description.”.
- (3) In paragraph 5(3) (application of provisions of the ^{M5}Insurance Companies Act 1982 to failure to meet obligation imposed by paragraph 4) for “the obligation imposed on an insurance company by paragraph 4” substitute “an obligation imposed on an insurance company under paragraph 4”.
- (4) In paragraph 6 (declaration and enforcement of levies) omit sub-paragraph (4) (provision about notices).
- (5) After paragraph 7 insert—

“8 Notices under paragraphs 4 and 6

A notice under paragraph 4 or 6 above may be sent by post, and a letter containing such a notice shall be deemed to be properly addressed if it is addressed to the insurance company to which it is sent at its last known place of business in the United Kingdom.”.

Marginal Citations

M4 1975 c. 75.

M5 1982 c. 50.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Companies Act 1989, Cross Heading: Miscellaneous. (See end of Document for details)

211 Building societies: miscellaneous amendments.

- (1) In section 104 of the ^{M6}Building Societies Act 1986 (power to assimilate law relating to building societies and law relating to companies), in subsection (2) (relevant provisions of that Act), omit the word “and” before paragraph (d) and after that paragraph add—
 - “; and
 - (e) section 110 (provisions exempting officers and auditors from liability).”.
- (2) In Schedule 15 to the Building Societies Act 1986 (application of companies winding-up legislation)—
 - (a) in paragraph 1(a) (provisions of ^{M7}Insolvency Act 1986 applied) for “and XII” substitute “, XII and XIII”;
 - (b) in paragraph 3(2)(b) (adaptations: references to be omitted), omit “, a shadow director”.
- (3) In the ^{M8}Company Directors Disqualification Act 1986, after section 22 insert—

“22A Application of Act to building societies.

- (1) This Act applies to building societies as it applies to companies.
- (2) References in this Act to a company, or to a director or an officer of a company include, respectively, references to a building society within the meaning of the Building Societies Act 1986 or to a director or officer, within the meaning of that Act, of a building society.
- (3) In relation to a building society the definition of “shadow director” in section 22(5) applies with the substitution of “building society” for “company”.
- (4) In the application of Schedule 1 to the directors of a building society, references to provisions of the Insolvency Act or the Companies Act include references to the corresponding provisions of the Building Societies Act 1986.”.

Marginal Citations

- M6** 1986 c. 53.
M7 1986 c. 45.
M8 1986 c. 46.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Companies Act 1989, Cross Heading: Miscellaneous.