



Companies Act 1989

1989 CHAPTER 40

PART II

ELIGIBILITY FOR APPOINTMENT AS COMPANY AUDITOR

Supplementary provisions

[^{F1}46A Circumstances in which Secretary of State may delegate functions to existing body

- (1) The Secretary of State's power to make a delegation order under section 46 which designates an existing body (see section 46(1A)(b)) is exercisable in accordance with this section.
- (2) The Secretary of State may make such an order if it appears to the Secretary of State—
 - (a) that the body is willing and able to exercise the functions that would be transferred by the order; and
 - (b) that the body has arrangements in place relating to the exercise of those functions which are such as to be likely to ensure that the conditions in subsection (3) are met.
- (3) The conditions are—
 - (a) that the functions in question will be exercised effectively; and
 - (b) where the delegation order is to contain any requirements or other provisions specified under subsection (4), that those functions will be exercised in accordance with any such requirements or provisions.
- (4) The delegation order may contain such requirements or other provisions relating to the exercise of the functions by the designated body as appear to the Secretary of State to be appropriate.
- (5) An existing body—
 - (a) may be designated by a delegation order under section 46, and

Status: Point in time view as at 01/01/2005. This version of this provision has been superseded.

*Changes to legislation: There are currently no known outstanding effects
for the Companies Act 1989, Section 46A. (See end of Document for details)*

(b) may accordingly exercise functions of the Secretary of State in pursuance of the order,
despite any involvement of the body in the exercise of any functions under arrangements within any of paragraphs 17, 18, 19(1) or 20(1) of Schedule 11.]

Textual Amendments

F1 S. 46A inserted (1.1.2005) by Companies (Audit, Investigations and Community Enterprise) Act 2004 (c. 27), ss. 4, 65; S.I. 2004/3322, art. 2(1), Sch. 1

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Changes to legislation:

There are currently no known outstanding effects for the Companies Act 1989, Section 46A.