
Status: Point in time view as at 31/05/1991.

Changes to legislation: Environmental Protection Act 1990, Cross Heading: Avoidance of restrictions on transfer of securities of companies is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 2

WASTE DISPOSAL AUTHORITIES AND COMPANIES

PART II

PROVISIONS REGULATING WASTE DISPOSAL AUTHORITIES AND COMPANIES

Avoidance of restrictions on transfer of securities of companies

- 23 (1) Subject to sub-paragraph (3) below, any provision to which this paragraph applies shall be void in so far as it operates—
- (a) to preclude the holder of any securities of a waste disposal contractor from disposing of those securities; or
 - (b) to require the holder of any such securities to dispose, or offer to dispose, of those securities to particular persons or to particular classes of persons; or
 - (c) to preclude the holder of any securities from disposing of those securities except—
 - (i) at a particular time or at particular times; or
 - (ii) on the fulfilment of particular conditions or in other particular circumstances.
- (2) This paragraph applies to any provision relating to any securities of a waste disposal contractor which is controlled by a waste disposal authority or to which the authority has transferred the relevant part of its undertaking and contained in—
- (a) the memorandum or articles of association of the company or any other instrument purporting to regulate to any extent the respective rights and liabilities of the members of the company;
 - (b) any resolution of the company; or
 - (c) any instrument issued by the company and embodying terms and conditions on which any such securities are to be held by persons for the time being holding them.
- (3) No provision shall be void by reason of its operating as mentioned in sub-paragraph (1) above if the Secretary of State has given his approval in writing to that provision.

Status:

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Changes to legislation:

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