
STATUTORY INSTRUMENTS

1991 No. 1452 (C.39)

COMPANIES

The Companies Act 1989 (Commencement No. 11) Order 1991

Made - - - - *24th June 1991*

The Secretary of State, in exercise of his powers under section 215 of the Companies Act 1989(1), hereby makes the following Order:—

Citation

1. This Order may be cited as the Companies Act 1989 (Commencement No. 11) Order 1991.

Provisions brought into force by the Order

2. Sections 35 and 36 of the Companies Act 1989 shall come into force on 26th June 1991.

24th June 1991

John Redwood
Minister of State,
Department of Trade and Industry

Status: This is the original version (as it was originally made).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 35 and 36 of the Companies Act 1989 into force on 26th June 1991. Section 35 obliges the Secretary of State to make regulations requiring the keeping of a register of auditors. Section 36 obliges the Secretary of State to make regulations requiring recognised supervisory bodies under Part II of the Companies Act 1989 to keep and make available to the public certain information relating to bodies corporate and partnerships eligible for appointment as company auditor.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Companies Act 1989 have been brought into force by commencement order made before the date of this Order:

Provision	Date of Commencement	S.I. No.
Ss.1 and 15 but only for the purpose of inserting a new section 215 into the Companies Act 1985 (subject to certain transitional and saving provisions)	1.3.1990	S.I. 1990/142
The remaining provisions of Part I (subject to important transitional and saving provisions) other than section 7 (in so far as it inserts a new section 233(5) into the Companies Act 1985), 11 (insofar as it inserts a new section 242A into the Companies Act 1985), 12 and 23 (in part)	1.4.1990 (save paragraph 19 of Schedule 10 which is commenced on 1.8.1990)	S.I. 1990/355
The remaining provisions of Part I (subject to transitional and savings provisions) except sections 1 and 11 insofar as they insert a new section 242A into the Companies Act 1985	7.1.1991	S.I. 1990/2569
S.24 but only for the purpose of any provision brought into force by article 3 of S.I. 1990/142	1.3.1990	S.I. 1990/142
S.30	1.3.1990	S.I. 1990/142

Provision	Date of Commencement	S.I. No.
S.31 but only for purposes relating to the recognition of supervisory bodies under Schedule 11 to the Companies Act 1989 (“the 1989 Act”) and for the purpose of enabling the Secretary of State to approve a qualification under section 31(4) and (5) of the 1989 Act	1.3.1990	S.I. 1990/142
Ss.32 and 33	1.3.1990	S.I. 1990/142
Ss.37 to 40	1.3.1990	S.I. 1990/142
S.41(1) and (4) but only for the purposes of an application under any provision brought into force by article 3 of S.I. 1990/142 or of any requirement imposed under any such provision	1.3.1990	S.I. 1990/142
S.41(3)	1.3.1990	S.I. 1990/142
S.41(5) and (6) but only for the purposes of s.41(3) of the 1989 Act	1.3.1990	S.I. 1990/142
Ss.42 to 44 but only for the purposes of any provisions brought into force by article 3 of S.I. 1990/142	1.3.1990	S.I. 1990/142
S.45	1.3.1990	S.I. 1990/142
S.47(1)	1.3.1990	S.I.1990/142
S.48(1) and (2) S.I. 1990/142	1.3.1990	S.I. 1990/142
S.49 but only for the purposes of any provision brought into force by article 3 of S.I. 1990/142	1.3.1990	
Ss.50 and 51	1.3.1990	S.I. 1990/142
Ss.52 to 54 but only for the purposes of any provision brought into force by article 3 of S.I. 1990/142	1.3.1990	S.I. 1990/142
s.55 to 64	21.2.1990 S	S.I. 1990/142
S.65(1)	21.2.1990	S.I. 1990/142
S.65(2) except to the extent that it refers to Part VII of the 1989 Act and except, in the	21.2.1990	S.I. 1990/142

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Provision	Date of Commencement	S.I. No.
case of s.65(2)(g), to the extent that the said paragraph refers to a body established under s.46 of the 1989 Act		
S.65(2) insofar as not yet in force but only to the extent that it refers to Part VIII of the 1989 Act	25.4.1991	S.I. 1991/878
S.65(3) to (7)	21.2.1990	S.I. 1990/142
S.66 to 74	21.2.1990	S.I. 1990/142
S.75(1)	21.2.1990	S.I. 1990/142
S.75(2)	25.1.1990	S.I. 1990/98
S.75(3), insofar as it provides for the insertion in s.180(1) of the Financial Services Act 1986 of a new paragraph (oo)	25.1.1990	S.I. 1990/98
S.75(3) except insofar as brought into force as referred to above, except to the extent that it refers to Part VII of the 1989 Act and except, in the case of s.75(3)(c), to the extent that it refers to a body established by order under s.46 of the 1989 Act	21.2.1990	S.I. 1990/142
S.75(3) insofar as not yet in force but only to the extent that it refers to Part VII of the 1989 Act	24.4.1991	S.I. 1991/878
S.75(4) insofar as it provides a definition of “public servant” for the purposes of the new s.180(1) (oo) of the Financial Services Act 1986	25.1.1990	S.I. 1990/98
S.75(4) except insofar as brought into force as referred to above	21.2.1990	S.I. 1990/142
S.75(6)	21.2.1990	S.I. 1990/142
S.75(7)	25.1.1990	S.I. 1990/98
Ss.76 to 79	21.2.1990	S.I. 1990/142
S.80 except to the extent that it refers to Part VII of the 1989 Act	21.2.1990	S.I. 1990/142
S.80 insofar as not in force	25.4.1991	S.I. 1991/878

Provision	Date of Commencement	S.I. No.
S.81(1)	21.2.1990	S.I. 1990/142
S.81(2) except to the extent that it refers to Part VII of the 1989 Act	21.2.1990	S.I. 1990/142
S.81(2) insofar as not in force	25.4.1991	S.I. 1991/878
S.81(3) and (4)	21.2.1990	S.I. 1990/142
S.81(5) except to the extent that it refers to Part VII of the 1989 Act	21.2.1990	S.I. 1990/142
S.81(5) insofar as not in force	25.4.1991	S.I. 1991/878
Ss.82 to 86	21.2.1990	S.I.1990/142
S.87(1) to (3)	21.2.1990	S.I. 1990/142
S.87(4) except to the extent that it refers to Part VII of the 1989 Act	21.2.1990	S.I. 1990/142
S.87(4) insofar as not in force	25.4.1991	S.I. 1991/878
S.87(5) and (6)	21.2.1990	S.I. 1990/142
Ss.88 to 91	21.2.1990	S.I. 1990/142
Sections 108 to 112 (subject to transitional and savings provisions)	4.2.1990	S.I. 1990/2569
Sections 113 to 124 (subject to transitional and saving provisions)	1.4.1990	S.I. 1990/355
Sections 125 and 127(1), (2) and (4), and section 127(7) to the extent necessary to insert into Schedule 22 of the Companies Act 1985 a / reference to the new sections 706, 707 and 715A of that Act	7.1.1991	S.I. 1990/2569
Section 126 and, insofar as not yet in force, section 127 (subject, in the case of the former, to a transitional provision)	1.7.1991	S.I. 1991/488
S.129	1.11.1990	S.I. 1990/1392
S.130 (and Schedule 17)	31.7.1990	S.I. 1990/1392
Sections 131 and 132 (subject, in the case of the former, to a saving provision)	1.4.1990	S.I. 1990/355

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Provision	Date of Commencement	S.I. No.
Section 134(1) to (3), (5) and (6) (subject to certain provisions)	31.5.1990	S.I. 1990/713
Section 135	7.1.1991	S.I. 1990/2569
Section 136 (subject to a transitional provision)	1.4.1990	S.I. 1990/355
Section 137(1); section 137(2) in part (subject to a transitional provision)	1.4.1990	S.I. 1990/355
S.138 (subject to saving provision) S.I. 1990/1707 1.10.1990 S.139 (subject to transitional and saving provisions)	31.7.1990	S.I. 1990/1392
S.144 (and Schedule 18) (subject to transitional provisions)	1.11.1990	S.I. 1990/1392
S.145 but only insofar as it relates to paragraphs 1, 8, 9, 12, 19, and 21 of Schedule 19 to the 1989 Act	1.3.1990	S.I. 1990/142
Section 145 but only insofar as it extends to paragraph 10 of Schedule 19 to the 1989 Act	7.1.1991	S.I. 1990/2569
Section 145 but only insofar as it extends to paragraph 11 of Schedule 19 to the 1989 Act	4.2.1991	S.I. 1990/2569
S.145 but only insofar as it relates to paragraphs 15 to 18 of Schedule 19 to the 1989 Act	1.4.1990	S.I. 1990/355
S.145 but only insofar as it relates to paragraphs 2 to 7 and 14 of Schedule 19 to the 1989 Act (subject, in the case of paragraphs 2 and 6, to transitional and saving provisions)	1.10.1990	S.I. 1990/1707
S.146	1.4.1990	S.I. 1990/142
S.151	1.4.1990	S.I. 1990/142
S.152	1.3.1990	S.I. 1990/142
S.153 but only insofar as it relates to paragraphs 1, 13, 17, 21 and 26 of Schedule 20 to the 1989 Act	1.4.1990	S.I. 1990/142

Provision	Date of Commencement	S.I. No.
Part VII insofar as necessary to enable regulations to be made under sections 155(4) and (5), 158(4) and (5), 160(5), 173(4) and (5), 174(2) to (4), 185, 186 and 187(3) and paragraph 2(3) of Schedule 21	25.4.1991	S.I. 1991/488
S.154	25.4.1991	S.I. 1991/878
S.155, 156 and Schedule 21 insofar as not in force	25.4.1991	S.I. 1991/878
S.157 subject to certain provisions	25.4.1991	S.I. 1991/878
S.158 insofar as not in force	25.4.1991	S.I. 1991/878
S.159	25.4.1991	S.I. 1991/878
S.160 insofar as not yet in force but subject to certain provisions concerning insolvency proceedings begun before the coming into force of the section and to provisions concerning its application in Northern Ireland	25.4.1991	S.I. 1991/878
S.161	25.4.1991	S.I. 1991/878
S.162 subject to certain provisions concerning its application in Northern Ireland	25.4.1991	S.I. 1991/878
25.4.1991	S.163 to 165	S.I. 1991/878
S.166 subject to certain provisions concerning insolvency proceedings begun before the section comes into force and to provisions concerning its application in Northern Ireland	25.4.1991	S.I. 1991/878
S.167 subject to provisions concerning its application in Northern Ireland	25.4.1991	S.I. 1991/878
S.168 and 169 except section 169(4)	25.4.1991	S.I. 1991/878
S.173 insofar as not in force	25.4.1991	S.I. 1991/878
S.174 insofar as not in force but subject to certain provisions concerning insolvency proceedings begun	25.4.1991	S.I. 1991/878

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before the section comes into force		
S.175 subject to certain provisions concerning insolvency proceedings begun before the section comes into force	25.4.1991	S.I. 1991/878
S.177 except insofar as it would have effect where the property is held as margin at the time the section comes into force	25.4.1991	S.I. 1991/878
S.179 except insofar as it would have effect where the property is subject to the relevant market charge at the time the section comes into force	25.4.1991	S.I. 1991/878
S.180 except insofar as it would effect certain procedures commenced or begun before the section comes into force	25.4.1991	S.I. 1991/878
S.182 and Schedule 22 and s.183	25.4.1991	S.I. 1991/878
S.184 subject to provisions concerning its application in Northern Ireland	25.4.1991	S.I. 1991/878
S.187 insofar as not in force	25.4.1991	S.I. 1991/878
Ss.188 to 191	25.4.1991	S.I. 1991/878
S.192 insofar as it inserts section 47A into the Financial Services Act 1986 (subject to transitional and saving provisions)	S.I. 1990/354	15.3.1990
S.193 insofar as is necessary in order to enable regulations to be made under section 62A of, and paragraph 22A of Schedule 11 to, the Financial Services Act 1986 (subject to transitional and saving provisions)	15.3.1990	S.I. 1990/354
Section 193 insofar as not in force (subject to a saving provision)	1.4.1991	S.I. 1991/488

Provision	Date of Commencement	S.I. No.
Sections 194 to 200 (subject to transitional and saving provisions)	15.3.1990	S.I. 1990/354
S.201	25.4.1991	S.I. 1991/878
Sections 203 to 205 (subject to transitional and saving provisions)	15.3.1990	S.I. 1990/354
S.206(1) except insofar as it relates to the insertion by paragraph 32 of Schedule 23 to the 1989 Act of paragraph 13B into Schedule 11 of the Financial Services Act 1986 (subject to transitional and saving provisions)	15.3.1990	S.I. 1990/354
S.206(2) to (4) (subject to transitional and saving provisions)	15.3.1990	S.I. 1990/354
S.207	1.11.1990	S.I. 1990/1392
S.208	1.3.1990	S.I. 1990/142
S.209	21.2.1990	S.I. 1990/142
S.210	1.4.1990	S.I. 1990/142
S.211(2) (subject to a saving provision) and (3)	31.7.1990	S.I. 1990/1392
S.212 insofar as it relates to the repeals effected by Schedule 24 to the 1989 Act referred to below	On the dates referred to below in connection with Schedule 24	In the SIs listed below in connection with Schedule 24
Schedule 24 insofar as it relates to repeals in or of ss.435, 440, 443, 446, 447, 449, 452 and 735A of the Companies Act 1985, ss.94, 105, 179, 180, 198(1) and 199(9) of the Financial Services Act 1986 and s.84(1) of the Banking Act 1987	21.2.1990	S.I. 1990/142
Schedule 24 insofar as it relates to the repeal in s.21(2) of the Company Directors Disqualification Act 1986	1.3.1990	S.I. 1990/142
Schedule 24 insofar as it relates to the repeals in, or of, sections 48, 55, 119, 159 and 160 of, and paragraphs 4, 10	15.3.1990	S.I. 1990/354

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and 14 of Schedule 11 to the Financial Services Act 1986		
Schedule 24 insofar as it relates to repeals in or of ss.46(3) and 85 of the Fair Trading Act 1973	1.4.1990	S.I. 1990/142
Schedule 24 insofar as it relates to repeals in or of section 42(6) of the Harbours Act 1964; sections 716, 717, 744 (in part) and 746 of, and Schedule 2, 4, 9, 11, 22 (in part) and 24 (in part) to, the Companies Act 1985; paragraphs 23 and 45 of Schedule 6 to the Insolvency Act 1985; and the entries in Part I of Schedule 13 to the Insolvency Act 1986 relating to sections 222(4) and 225	15.3.1990	S.I. 1990/354
Schedule 24 insofar as it relates to repeals in or of section 119(9) of, and paragraph 22 of Schedule 16 to, the Financial Services Act 1986	1.4.1990	S.I. 1990/355
Schedule 24 insofar as it relates to repeals in or of sections 201, 202(1) and 209(1)(j) of the Companies Act 1985	31.5.1990	S.I. 1990/713
Schedule 24 insofar as it relates to repeals in or of section 651(1) and Schedule 22 (in part) of the Companies Act 1985	31.7.1990	S.I. 1990/1392
Schedule 24 insofar as it relates to repeals in or of Schedule 15 and 18 to the Building Societies Act 1986	31.7.1990	S.I. 1990/1392
Schedule 24 insofar as it relates to repeals in or of sections 466(2) and 733(3) of and Schedules 22 (in part) and 24 (in part) to the Companies Act 1985 (subject, in the case of Schedules 22 and 24,	1.10.1990	S.I. 1990/1707

Provision	Date of Commencement	S.I. No.
to transitional and saving provisions)		
Schedule 24 insofar as it relates to Part I of Schedule 13 to the Insolvency Act 1986 (in part)	1.10.1990	S.I. 1990/1707
Schedule 24 insofar as it relates to section 708(1)(b) of the 1985 Act	7.1.1991	S.I. 1990/2569
Schedule 24 insofar as it repeals Schedule 15 to the 1985 Act (subject to the transitional and savings provisions made by articles 4 and 5 of the Companies Act 1989 (Commencement No. 7 and Transitional and Savings Provisions) Order 1990)	7.1.1991	S.I. 1990/2569
Schedule 24 insofar as it repeals the entries relating to section 245(1) and (2) in Schedule 24 to the 1985 Act (subject to the transitional and savings provisions made by article 6 of the Companies Act 1989 (Commencement No. 8 and Transitional and Savings Provisions) Order 1990)	7.1.1991	S.I. 1990/2569
Ss.213 to 215 insofar as they were not already in force at the time of the making of S.I. 1990/142	2.2.1990	S.I. 1990/142
S.216	25.1.1990	S.I. 1990/98