STATUTORY INSTRUMENTS

1977 No. 529 (C. 19)

COMPANIES

The Companies Act 1976 (Commencement No 3) Order 1977

Made - - - - *22nd March* 1977

The Secretary of State, in exercise of his powers under section 45(3) of the Companies Act 1976(a), hereby makes the following Order:—

1. This Order may be cited as the Companies Act 1976 (Commencement No. 3) Order 1977.

2. The provisions of the Companies Act 1976 specified in the Schedule hereto shall come into operation on 18th April 1977.

Stanley Clinton Davis,
Parliamentary Under-Secretary of State,
Department of Trade.

22nd March 1977.

(a) 1976 c. 69.

SCHEDULE *Article* 2

PROVISIONS COMING INTO OPERATION ON 18TH APRIL 1977

Provisions of the Act	Subject matter of provisions
Section 13	Qualifications of auditors
Section 14(1) to (10)	Appointment and removal of auditors
Section 14(11), except insofar as it relates to the repeal of section 159 of the Companies Act 1948**(a)** as that section is applied to unregistered companies by virtue of section 435 of that Act	
Section 14(12)	
Section 15(1) to (6)	Supplementary provisions relating to appointment and removal of auditors
Section 15(7) except insofar as it relates to the repeal of section 160 of the Companies Act 1948 as that section is applied to unregistered companies by virtue of section 435 of that Act	
Section 16	Resignation of auditors
Section 17	Right of auditor who resigns to requisition meeting of company, etc.
Section 18	Powers of auditors in relation to subsidiaries
Section 19	False statements etc. to auditors
Section 20	Auditors of body which is both a company and a trade union etc.
Section 21	Statement of first directors and secretary to be delivered on application for registration of company
Section 22	Notification of changes in directors and secretary, etc.
Section 23(1), (2), (3) and (4)	Registered office of company
Section 23(5), except insofar as it relates to the repeal of section 107 of the Companies Act 1948 as that section is applied to unregistered companies by virtue of section 435 of that Act	

(a) 1948 c. 38.

Provisions of the Act	Subject matter of provisions
Section 23(6), except insofar as it amends section 9(3)(*e*) of the European Communities Act 1972(a) as that section is applied to unregistered companies by virtue of the said section 435	
Section 23(7)	
Section 24	Duty of director to notify company of acquisition etc. of its securities
Section 25	Duty of company to notify recognised stock exchange of acquisition etc. of its securities by director
Section 26	Duty to notify company of acquisition etc. of voting shares
Section 27	Power of company to require disclosure of beneficial interests in its voting shares
Section 30	Companies with registered offices in Wales
Section 31	Regulation of name under which oversea company may carry on business in Great Britain
Section 32	Amendments of Registration of Business Names Act 1916(b).
Section 34(1), except insofar as it amends section 52(1)(*a*) of the Companies Act 1948 and sections 26(3) and 29(8) of the Companies Act 1967(c).	Use of prescribed forms for notices etc. under the Companies Act 1948.
Section 34(2), except insofar as it relates to the form provided for the purposes of section 52(1)(*a*) of the Companies Act 1948.	
Section 35	Size, durability and legibility of documents delivered to registrar
Section 36	Power of registrar to accept information on microfilm, etc.
Section 37(1), (2), (3), (5) and (6)	Fees payable to registrar
Section 38(1)	Functions of Secretary of State
Section 39	Criminal proceedings and enforcement

(a) 1972 c. 68. (b) 1916 c. 58. (c) 1967 c. 81.

Provisions of the Act	Subject matter of provisions
Section 41	Application of certain provisions of the Act to unregistered companies
Section 42(1), insofar as it relates to the amendment of the statutory provisions mentioned below in relation to Schedule 2.	Minor and consequential amendments.
Section 42(2), insofar as it relates to the repeal of, or of words in, the statutory provisions mentioned below in relation to Schedule 3	Repeals.
Section 42(3)	Saving for offences under enactments repealed
Schedule 1, except insofar as it relates to the amendment of section 52(1)(*a*) of the Companies Act 1948 and sections 26(3) and 29(8) of the Companies Act 1967	Prescribed forms for Companies Acts 1948.
Schedule 2, insofar as it amends— (*a*) the following provisions of the Companies Act 1948, namely— sections 12, 15(2) (except to the extent that that subsection has effect in relation to a statutory declaration in a case where the memorandum of a company has been delivered to the registrar before 18th April 1977), 38(5)(*b*), 39(1)(*b*), 51(1), 409, 417(5)(*b*), 418(1)(*b*) and 439, in Schedule 1, regulation 110 in Part I of Table A and article 57 of Table C and regulation 130 in Part I of Table A and article 65 of Table C, in Schedule 8, paragraphs 5(2)(*c*), 5A, 8, 11, 12(1)(*g*) and 28; (*b*) sections 25(2)(*a*) and (*b*), 27(9) and 33(10) of the Companies Act 1967; (*c*) section 17(1) of the Insurance Companies Act 1974**(a)** and section 3(3) and (4) of the Stock Exchange (Completion of Bargains) Act 1976**(b)**	Minor and consequential amendments
Schedule 3, insofar as it provides for the repeal of, or of words in, the following provisions— (*a*) sections 107, 159, 160 and 161(5) of the Companies Act 1948, except insofar as those provisions are applied to unregistered companies by virtue of section 435 of that Act, in section 181(1) of that Act, the words from "shall not be capable" to "articles, and" and the words "the registration of the articles or"; sections 181(4), 185(4) and 453 of that Act;	Repeals.

(a) 1974 c. 49. **(b)** 1976 c. 47.

Provisions of the Act	Subject matter of provisions
(*b*) sections 18 and 19 of the Protection of Depositors Act 1963**(a)**; (*c*) sections 13(2) and (3) and 14(8)(*c*) of the Companies Act 1967, in section 35(1) of that Act, the words "or section 18 or 19 of the Protection of Depositors Act 1963", section 112 of that Act, in Schedule 4 to that Act, the entry relating to section 451.	

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order brings into force on 18th April 1977 the provisions of the Companies Act 1976 specified in the Schedule to the Order and also effects the repeals referred to in that Schedule.

(a) 1963 c. 16.

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