1991 No. 28

COMPANIES

Companies (Unregistered Companies) (Amendment) Regulations (Northern Ireland) 1991

Made	*5th February 1991*
Coming into operation . .	*11th March 1991*

The Department of Economic Development, in exercise of the powers conferred on it by Article 667(1) and (3) of and Schedule 21 to the Companies (Northern Ireland) Order 1986(**a**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Companies (Unregistered Companies) (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 11th March 1991.

Amendments of the Companies (Unregistered Companies) Regulations (Northern Ireland) 1986

2. The Companies (Unregistered Companies) Regulations (Northern Ireland) 1986(**b**) are hereby amended as follows:—

(*a*) in regulation 6(*h*), sub-paragraph (iv) shall be omitted, and there shall be inserted after regulation 6(*h*) the following paragraph:

"(*hh*) Schedule 5 to the Order shall have effect as if paragraphs 10 and 29 were omitted."(**c**);

(*b*) in regulation 6(*i*), for the words from "paragraph 13(3)" to "were" there shall be substituted the words "paragraph 13(4) was"(**d**);

(*c*) in the entry in the Schedule relating to Part VIII:

(**a**) S.I. 1986/1032 (N.I. 6); the entries in Schedule 21 relating to Parts IV and V of the Companies (Northern Ireland) Order 1986 were revoked by section 212(3) of and Part II of Schedule 17 to the Financial Services Act 1986 (c. 60) and by Article 5 of and Schedule 4 to S.I. 1986/2246 to the extent to which they would apply in relation to any investment which is listed or the subject of an application for listing in accordance with Part IV of that Act, and Schedule 21 was further amended by provisions contained in the Companies (Northern Ireland) Order 1990 (S.I. 1990/593 (N.I. 5)) and the Companies (No. 2) (Northern Ireland) Order 1990 (S.I. 1990/1504 (N.I. 10))

(**b**) S.R. 1986 No. 305

(**c**) Paragraph 75 of Schedule 4 to the Companies (Northern Ireland) Order 1986 was repealed by Article 26 of and Schedule 15 to the Companies (Northern Ireland) Order 1990 and was re-enacted by Article 8(2) of and Schedule 3 to that Order as paragraphs 10 and 29 of Schedule 5 to the Companies (Northern Ireland) Order 1986

(**d**) Paragraphs 13(3) and 31 of Schedule 9 to the Companies (Northern Ireland) Order 1986 were omitted by Article 20(3) and (4) of, and paragraphs 2 and 11 of Part I of Schedule 7 to, the Companies (Northern Ireland) Order 1990

(i) after the words "Part VIII" and before the word "with" there shall be substituted the words "(except Articles 260 and 261),"; and

(ii) in column 1, for "paragraphs 2, 7 and 8" there shall be substituted "paragraphs 2 to 2B, 7 and 8"(**a**) and for "Schedule 10" there shall be substituted "Schedules 10 and 10A"(**b**); and

(*d*) in the entry in the Schedule relating to Part XII:

(i) in column 1, for "Articles 392 to 401" there shall be substituted "Articles 392 to 401B (except Articles 393A, 394 and 401)"(**c**); and

(ii) in column 2, the word "qualifications" shall be omitted(**d**).

Sealed with the Official Seal of the Department of Economic Development on 5th February 1991.

(L.S.) *A. H. McAlister*
Assistant Secretary

(**a**) New paragraphs 2 to 2B of Schedule 7 to the Companies (Northern Ireland) Order 1986 were substituted for paragraph 2 by Article 10(2) of and paragraph 3 of Schedule 5 to the Companies (Northern Ireland) Order 1990

(**b**) New Schedule 10 to the Companies (Northern Ireland) Order 1986 was substituted by Article 20(5) of and Schedule 8 to the Companies (Northern Ireland) Order 1990, and new Schedule 10A was inserted by Article 23(2) of and Schedule 9 to that Order of 1990; Schedule 21 to the Companies (Northern Ireland) Order 1986 was amended accordingly by Article 25 of and paragraph 26 of Schedule 10 to the Companies (Northern Ireland) Order 1990

(**c**) New Articles 392 to 401B of the Companies (Northern Ireland) Order 1986 were substituted for Articles 392 to 401 by Articles 53 to 58 of the Companies (No. 2) (Northern Ireland) Order 1990, and Schedule 21 of that Order of 1986 was amended accordingly by Article 58(2) of that Order of 1990

(**d**) The word "qualifications" in the entry in column 2 of Schedule 21 to the Companies (Northern Ireland) Order 1986 relating to Articles 392 to 401 was repealed by Article 57 of and Part II of Schedule 15 to the Companies (Northern Ireland) Order 1990

EXPLANATORY NOTE

(This note is not part of the Regulations.)

The Companies (Unregistered Companies) Regulations (Northern Ireland) 1986 (''the 1986 Regulations'') applied certain provisions of the Companies (Northern Ireland) Order 1986 (''the 1986 Order'') to unregistered companies.

These Regulations amend the 1986 Regulations to reflect the amendments made by the Companies (Northern Ireland) Order 1990 and the Companies (No. 2) (Northern Ireland) Order 1990 to those 1986 Order provisions which relate to the preparation of accounts and reports and to the appointment and removal of auditors. The amendments to these provisions were bought into operation by the Companies (1990 Order) (Commencement No. 1) Order (Northern Ireland) 1990 (S.R. 1990 No. 246 (C. 9)) and the Companies (1990 No. 2 Order) (Commencement No. 1) Order (Northern Ireland) 1991 (S.R. 1991 No. 26 (C. 2)) subject to the transitional and saving provisions provided in those Orders.