STATUTORY RULES OF NORTHERN IRELAND

1993 No. 67

COMPANIES

Companies (1990 Order) (Eligibility for Appointment as Company Auditor) (Consequential Amendments) Regulations (Northern Ireland) 1993

Made - - - - 18th February 1993

Coming into operation 29th March 1993

(**1**)The Department of Economic Development, in exercise of the powers conferred on it by Article 52(1) to (4) of the Companies (Northern Ireland) Order 1990 and of every other power enabling it in that behalf, and having obtained the consent of the Lord Chancellor, the Secretary of State for Trade and Industry, the Secretary of State for Health and those Departments whose consent it is required to obtain by virtue of Article 52(5) of that Order, hereby makes the following Regulations:

Citation, commencement and interpretation

1. —

(1) These Regulations may be cited as the Companies (1990 Order) (Eligibility for Appointment as Company Auditor) (Consequential Amendments) Regulations (Northern Ireland) 1993 and shall come into operation on 29th March 1993.

(2) In these Regulations, "the Order" means the Companies (Northern Ireland) Order 1990.

Consequential amendments

2. The statutory provisions mentioned in the Schedule shall have effect with the amendments specified therein.

3. Where a partnership constituted under the law of Northern Ireland or under the law of any other country or territory in which a partnership is not a legal person is appointed under any statutory provision as amended by these Regulations, the provisions of Article 29 of the Order shall apply to the appointment in the same way as they apply to the appointment as company auditor of such a partnership.

(**1**) Functions of the Secretary of State under the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981, S.I. 1981/228 (N.I. 8), transferred to the Lord Chancellor by S.I. 1982/159.

Transitional provision

4. None of the amendments specified in the Schedule shall have the effect that a person is required to resign from or otherwise surrender an appointment, or that the appointment of a person must be terminated, before the date on which the person's appointment would, apart from these Regulations, have expired.

Sealed with the Official Seal of the Department of Economic Development on

L.S.

A. L. Brown
18th February 1993. Assistant Secretary

I consent,

Dated 12th January 1993 *Mackay of Clashfern, C.*

I consent

Michael Heseltine
Secretary of State
Dated 25th January 1993 Department of Trade and Industry

I consent

Virginia Bottomley
Secretary of State
Dated 15th February 1993 Department of Health

The Department of Agriculture hereby consents to the foregoing Regulations.
Sealed with the Official Seal of the Department of Agriculture on 17th February 1993.

L.S.

R. S. Johnston
Assistant Secretary

The Department of Health and Social Services hereby consents to the foregoing Regulations.
Sealed with the Official Seal of the Department of Health and Social Services on

L.S.

J. Scott
17th February 1993. Assistant Secretary

The Department of the Environment hereby consents to the foregoing Regulations.
Sealed with the Official Seal of the Department of the Environment on

L.S.

D. S. S. McAuley
17th February 1993. Assistant Secretary

SCHEDULE Regulation 2

Amendments to Statutory Provisions

Pig Production Development Act (Northern Ireland) 1964(2)

1. In section 10(1) of the Pig Production Development Act (Northern Ireland) 1964 (accounts, audit and reports of the Pig Production Development Fund) for the words from "such member" to the end substitute "a person who is eligible for appointment as a company auditor under Article 28 of the Companies (Northern Ireland) Order 1990.".

Fisheries Act (Northern Ireland) 1966(3)

2. In section 31 of the Fisheries Act (Northern Ireland) 1966 (audit of accounts of the Fisheries Conservancy Board for Northern Ireland) for the words from "unless he is a member" to the end substitute "unless he is eligible for appointment as a company auditor under Article 28 of the Companies (Northern Ireland) Order 1990.".

Livestock Marketing Commission Act (Northern Ireland) 1967(4)

3. In section 9(2) of the Livestock Marketing Commission Act (Northern Ireland) 1967 (audit of accounts of the Livestock Marketing Commission for Northern Ireland) for the words from "unless he is a member" to the end substitute "unless he is eligible for appointment as a company auditor under Article 28 of the Companies (Northern Ireland) Order 1990.".

Industrial and Provident Societies Act (Northern Ireland) 1969(5)

4. —

(1) The Industrial and Provident Societies Act (Northern Ireland) 1969 shall be amended as follows.

(2) In section 41 (qualified auditors), in subsection (1) for the words from "he is either a member" to the end substitute "he is eligible for appointment as a company auditor under Article 28 of the Companies (Northern Ireland) Order 1990.".

(3) In section 42 (restrictions on appointment of auditors)—

(a) paragraph (c) of subsection (1) and subsection (3) shall cease to have effect; and

(b) in subsection (1) for paragraph (e) substitute—

"(e) a person who is by virtue of Article 30 of the Companies (Northern Ireland) Order 1990 ineligible for appointment as auditor of a company which is a subsidiary of that society.".

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(2) 1964 c. 25 (N.I.). Section 10(1) has been amended by Article 153(1) of, and Part II of Schedule 6 to, the Companies (Northern Ireland) Order 1978 (S.I. 1978/1042 (N.I. 12)) and by Article 23 of, and Part I of Schedule 1 to, the Companies Consolidation (Consequential Provisions) (Northern Ireland) Order 1986 (S.I. 1986/1035 (N.I. 9)).

(3) 1966 c. 17 (N.I.). Section 31 has been amended by Article 153(1) of, and Part II of Schedule 6 to, the Companies (Northern Ireland) Order 1978 and by Article 23 of, and Part I of Schedule 1, to, the Companies Consolidation (Consequential Provisions) (Northern Ireland) Order) 1986.

(4) 1967 c. 21 (N.I.). Section 9(2) has been amended by Article 153(1) of, and Part II of Schedule 6 to, the Companies (Northern Ireland) Order; 1978 and by Article 23 of, and Part I of Schedule 1 to, the Companies Consolidation (Consequential Provisions) (Northern Ireland) Order 1986.

(5) 1969 c. 24 (N.I.). Section 41(1) has been amended by Article 153(1) of, and Part II of Schedule 6 to, the Companies (Northern Ireland) Order 1978 and by Article 23 of, and Part I of Schedule 1 to, the Companies Consolidation (Consequential Provisions) (Northern Ireland) Order 1986.