1990 No. 246 (C. 9)

COMPANIES

The Companies (1990 Order) (Commencement No. 1) Order (Northern Ireland) 1990

Made . . . . . 27th June 1990

The Department of Economic Development, in exercise of the powers conferred on it by Article 1 of the Companies (Northern Ireland) Order 1990(**a**) and paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(**b**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and interpretation

1. This Order may be cited as the Companies (1990 Order) (Commencement No. 1) Order (Northern Ireland) 1990.

2. In this Order "the 1986 Order" means the Companies (Northern Ireland) Order 1986(**c**) and "the 1990 Order" means the Companies (Northern Ireland) Order 1990.

Provisions of Parts I and II of the 1990 Order brought into operation by this Order

3. The provisions of Article 1 of the 1990 Order, in so far as they are not already in operation, and Article 2 of that Order shall come into operation on 1st August 1990.

4. The provisions of Part II of the 1990 Order specified in the first column of Schedule 1 shall come into operation:

(*a*) in the case of paragraph 22 of Schedule 10 to the 1990 Order and Article 25 of that Order so far as it relates to that paragraph, on 1st October 1990,

(*b*) in the case of the remaining provisions so specified, on 1st August 1990,

for the purposes specified in the second column of that Schedule, subject to the transitional and saving provisions set out in Articles 5 to 8.

Transitional and saving provisions relating to Part II of the 1990 Order

5. In Articles 5 to 8 of this Order, and Schedules 2 and 3 thereto, expressions have the same meaning as in the 1986 Order as amended by the 1990 Order and:

(a) S.I. 1990/593 (N.I. 5)
(b) 1974 c. 28
(c) S.I. 1986/1032 (N.I. 6)

"the old Part VIII" means the provisions of Part VIII of the 1986 Order(**a**), together with any other provision of that Order necessary for their interpretation or operation, prior to any repeal, re-enactment or amendment of those provisions by the provisions of Part II of the 1990 Order;

"the new Part VIII" means the provisions of Part VIII of the 1986 Order, together with any other provision of that Order necessary for the interpretation or operation of those provisions, subject to any repeal, re-enactment or amendment of those provisions by the provisions of Part II of the 1990 Order brought into operation by this Order; and

"relevant financial year" means a financial year commencing on a date prior to 1st April 1990.

6.—(1) The provisions of the new Part VIII shall have effect subject to the transitional and saving provisions set out in Schedule 2.

(2) In Schedule 2, Part I sets out general transitional and saving provisions and Part II sets out specific transitional and saving provisions with respect to a relevant financial year of a company.

7. Article 25 of, and Schedule 10 to, the 1990 Order shall have effect subject to the transitional and saving provisions set out in Schedule 3.

8. The transitional and saving provisions set out in this Order relating to both the new and the old Part VIII shall have effect (so far as applicable) in relation to any body corporate to which Part VIII of the 1986 Order is applied (whether or not subject to modification) by any statutory provision as they have effect in relation to a company, unless the context otherwise requires, and accordingly references therein to a company shall be construed as including such a body corporate.

Saving for the Interpretation Act (Northern Ireland) 1954

9. Nothing in Articles 5 to 8 of, or Schedules 2 and 3 to, this Order is to be taken as prejudicing the application of sections 28 and 29 of the Interpretation Act (Northern Ireland) 1954(**b**).

Provisions of Part III of the 1990 Order brought into operation by this Order

10. The provisions of Part III of the 1990 Order specified in the first column of Schedule 4 shall come into operation on 1st August 1990 for the purposes specified in the second column thereof.

Repeals

11.—(1) The repeals effected by Schedule 15 to the 1990 Order in or of Articles 1(2), 2(3), 428(2)(*b*) of and Schedules 2, 4, 6, 9, 11, 21 and 23

(a) Part VIII of the Companies (Northern Ireland) Order 1986 has been amended by the Financial Services Act 1986 (c. 60), the Banking Act 1987 (c. 22), the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19)) as well as by the Companies (Accounting Thresholds) (Modification) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 37)

(b) 1954 c. 33 (N.I.)

(except insofar as Schedule 15 repeals the entries relating to Articles 253(1) and (2) and 397(9)) to the 1986 Order (subject to paragraph 2), Article 3(1) of the Industrial Relations (Northern Ireland) Order 1987(**a**), and Schedule 9 to the Insolvency (Northern Ireland) Order 1989(**b**) together with Articles 26 and 57 so far as relating to these repeals, shall come into operation on 1st August 1990.

(2) Where paragraph (1) states that a repeal is subject to this paragraph, that repeal is to be subject to any relevant transitional or saving provisions made by any provision of this Order.

Sealed with the Official Seal of the Department of Economic Development on 27th June 1990.

(L.S.) *R. G. Smartt*
Assistant Secretary

(a) S.I. 1987/936 (N.I. 9)
(b) S.I. 1989/2405 (N.I. 19)

Provisions of Part II of the 1990 Order to be brought into operation by this Order

Provision of Part II	*Purposes for which to be in operation*
Article 3 (Introduction).	For the purposes of any provision or part thereof brought into operation by this Order.
Article 4 (Accounting records).	For all purposes.
Article 5 (A company's financial year and accounting reference periods).	For all purposes.
Article 6 (Individual company accounts).	For all purposes.
Article 7 (Group accounts).	For all purposes.
Article 8 (Additional disclosure required in notes to accounts).	For all purposes.
Article 9 (Approval and signing of accounts).	For all purposes except the insertion of Article 241(5) into Part VIII of the 1986 Order.
Article 10 (Directors' report).	For all purposes.
Article 11 (Auditors' report).	For all purposes.
Article 12 (Publication of accounts and reports).	For all purposes.
Article 13 (Laying and delivering of accounts and reports).	For all purposes except the insertion Article 250A into the 1986 Order.
Article 15 (Small and medium-sized companies and groups).	For all purposes.
Article 16 (Dormant companies).	For all purposes.
Article 17 (Public listed companies: provision of summary financial statement).	For all purposes.
Article 18 (Private companies: election to dispense with laying of accounts and reports before general meeting).	For all purposes.
Article 19 (Unlimited companies: exemption from requirement to deliver accounts and reports).	For all purposes.
Article 20 (Banking and insurance companies and groups: special provisions).	For all purposes.
Article 21 (Accounting standards).	For all purposes.
Article 22 (Power to alter accounting requirements).	For all purposes.
Article 23 (Parent and subsidiary undertakings).	For all purposes.
Article 24 (Other interpretation provisions).	For all purposes.

Provision of Part II	*Purposes for which to be in operation*
Article 25 and Schedule 10 (Consequential amendments).	For all purposes except insofar as paragraph 27(2) of Schedule 10 omits the entries relating to Article 253(1) and (2), insofar as paragraph 27(3) inserts an entry for Article 241(5) and insofar as paragraph 31(1)(*b*) amends Article 6(3) of the Companies (Northern Ireland) Order 1989(**a**).

(**a**) S.I. 1989/2404 (N.I. 18)