**1979 No. 191 (C. 8)**

**COMPANIES**

# The Companies (1978 Order) (Commencement No. 2) Order (Northern Ireland) 1979

*Made* . . . . . *5th June* 1979

The Department of Commerce, in exercise of the powers conferred on it by Article 1(1) of the Companies (Northern Ireland) Order 1978(**a**) read with paragraph 2(1)(*b*) of Schedule 1 to the Northern Ireland Act 1974(**b**), hereby makes the following Order:

*Citation*

**1.** This Order may be cited as the Companies (1978 Order) (Commencement No. 2) Order (Northern Ireland) 1979.

*Commencement*

**2.** The provisions of the Companies (Northern Ireland) Order 1978 specified in the first column of the Schedule hereto shall insofar as they confer power to make regulations and orders come into operation on 18th June 1979 and shall for other purposes and to the extent mentioned in that Schedule come into operation on 31st July 1979.

Sealed with the Official Seal of the Department of Commerce for Northern Ireland on 5th June 1979.

(L.S.) *W. T. McCrory*
Assistant Secretary

(a) S.I. 1978/1042 (N.I. 12)
(b) 1974 c. 28

SCHEDULE Article 2

| Provisions of the Order | Subject matter of provisions |
|---|---|
| Article 2(2) to (6) | Interpretation. |
| Article 34 | Miscellaneous amendments of principal Act concerning accounts and audit. |
| Article 35 | Penalization of dealing by director of a company in options to buy or sell listed shares in, or listed debentures of, the company or associated companies. |
| Article 36 | Directors' service contracts, or memorandums thereof, to be open to inspection by company's members. |
| Article 37 | Obligation of director of a company to notify it of interests of his in shares in, or debentures of, the company or associated companies. |
| Article 38 | Rules for giving effect to Article 37(1). |
| Article 39 | Provisions for securing that information furnished under Article 37, and certain other information about directors' interests, is recorded and made available. |
| Article 40 | Extension of Article 35 to spouses and children. |
| Article 41 | Extension of Article 37 to spouses and children. |
| Article 42 | Duty of company to notify recognised stock exchange of acquisition, etc., of its securities by director. |
| Article 43 | Investigation of share dealings. |
| Article 57 | Statement of first directors and secretary to be delivered on application for registration of company. |
| Article 58 | Notification of changes in directors and secretary, etc. |
| Article 59 | Removal of prohibition on body corporate being director of a company. |
| Article 60 | Abolition of requirement that appointment of directors of private company must be voted on individually. |

| Provisions of the Order | Subject matter of provisions |
|---|---|
| Article 61 | Removal of director of private company holding office for life. |
| Article 64 | Prohibition of loans to directors to apply to private companies but not to subsidiaries where director is holding company. |
| Article 85 | Preferential payments. |
| Article 89 | Exemption of certain documents from stamp duty. |
| Article 98 | Increase of monetary limits relating to winding up. |
| Article 100 | Extension of Department's power of investigation under section 159 of the principal Act. |
| Article 101 | Power of inspectors to secure attendance of persons for purposes of investigation. |
| Article 102 | Power of inspectors to inform Department of matters tending to show commission of offence. |
| Article 103 | Proceedings on inspectors' report. |
| Article 104 | Expenses of investigation of company's affairs. |
| Article 105 | Investigation into ownership of company. |
| Article 106 | Extension of Department's powers of investigation to certain bodies incorporated outside Northern Ireland. |
| Article 107 | Power of Department to require production of documents. |
| Article 108 | Entry and search of premises. |
| Article 109 | Provision for security of information. |
| Article 110 | Penalization of destruction, mutilation, etc., of company documents. |
| Article 111 | Penalization of furnishing false information under Article 107. |
| Article 112 | Saving for solicitors and bankers. |
| Article 113 | Restriction of institution of proceedings in respect of offences under Articles 107 to 111. |

| Provisions of the Order | Subject matter of provisions |
|---|---|
| Article 114 | Obligation of persons to notify company of acquisition, changes in amounts of, and disposal of shares in the company carrying unrestricted voting rights. |
| Article 115 | Power to amend percentage referred to in Article 114. |
| Article 116 | Power of company to require disclosure of beneficial interests in its voting shares. |
| Article 117 | Provision for securing that information furnished under Articles 114 to 116 is recorded and made available. |
| Article 118 | Limited companies may be re-registered as unlimited. |
| Article 119 | Unlimited companies may be re-registered as limited. |
| Article 120 | Cesser of section 16 of the principal Act. |
| Article 121 | Regulation of name under which Part X company may carry on business in Northern Ireland. |
| Article 125(1), except insofar as it amends section 52(1)(*a*) of the Companies Act (Northern Ireland) 1960(c) | Use of prescribed forms for notices, etc., under the principal Act. |
| Article 125(2), except insofar as it relates to the form provided for the purposes of section 52(1)(*a*) of the Companies Act (Northern Ireland) 1960 | |
| Article 126 | Size, durability and legibility of documents delivered to registrar. |
| Article 127 | Power of registrar to accept information on microfilm, etc. |
| Article 131 | Registered office of company. |
| Article 133 | Exemption from prohibition imposed by section 377 of the principal Act of formation of banking partnerships with more than ten members. |
| Article 136 | Power of Department to require company to abandon misleading name. |

(c) 1960 c. 22 (N.I.)