

Application of Parts 1 to 14 to PLCs

1002. (1) The provisions of Parts 1 to 14 apply to a PLC except to the extent that they are disapplied or modified by—

(a) this section, or

(b) any other provision of this Part.

(2) For the purposes of that application, section 10 (1) shall have effect as if it read:

“(1) Unless expressly provided otherwise, a reference in Parts 2 to 14 to a company is a reference to a PLC.”.

(3) The provisions of this Act specified in the Table to this section shall not apply to a PLC.

(4) The specification in the foregoing Table of a provision (a “specified provision”) of Parts 1 to 14 also operates to disapply to a PLC any other provision of those Parts (notwithstanding that it is not specified in that Table) that makes consequential, incidental or supplemental provision on, or in relation to, the specified provision.

Table

Subject matter	Provision disapplied	Way of forming a private company limited by shares	Section 17
Company to carry on activity in the State and prohibition of certain activities	Section 18	Form of the constitution	Section 19
Certificate of incorporation to state that the company is a private company limited by shares	Section 25 (3)	Provisions as to names of companies	Section 26 (1) to (4)
Trading under a misleading name	Section 27	Amendment of constitution by special resolution	Section 32 (1)
Capacity of private company limited by shares	Section 38	Conversion of existing private company to private company limited by shares to which Parts 1 to 14 apply	Chapter 6 of Part 2
Limitation on offers of securities to the public	Section 68	Allotment of shares	Section 69
Supplemental and additional provisions as regards allotments	Section 70	Reduction in company capital — use of Summary Approval Procedure therefor	Section 84 (2)(a) and (3)
Variation of rights attached to special classes of shares	Section 88	Variation of company capital on reorganisation — use of Summary Approval Procedure therefor	Section 91 (4)(a)
Directors	Section 128	Directors' duty as regards certain matters in appointing secretary	Section 129 (4)
Removal of directors	Section 146 (2)	Remuneration of directors	Section 155
Voting by director in respect of contract, etc. in which director is interested	Section 161 (7)	Majority written resolutions	Section 194
Supplemental provisions in relation to section 194	Section 195	Summary Approval Procedure	Chapter 7 of Part 4 (save as it applies to— (a) a members' voluntary winding up under section 579; (b) an activity specified in section 118 (prohibition on pre-acquisition profits or losses being treated in holding company's financial statements as profits available for distribution); or (c) the making of a loan or quasi-loan or the doing of any other thing referred to in section 239). Directors' compliance statement and related statement— exemption for companies below a particular size
The words “to			

which this section applies” in section 225 (2), and section 225 (7) Exemption from consolidation: size of group Section 297 Statutory financial statements must be audited (unless audit exemption availed of) Section 333 Exclusions, exemptions and special arrangements with regard to public disclosure of financial information Chapter 14 of Part 6 Audit exemption Chapter 15 of Part 6 Special audit exemption for dormant companies Chapter 16 of Part 6 Small and medium companies Section 377 Mergers and divisions of companies Chapters 3 and 4 of Part 9 Disclosure orders Chapter 2 of Part 14