

## Meetings of classes of shareholders

1139. (1) Where the share capital of any of the merging companies is divided into shares of different classes the provisions referred to in subsection (2), with the exclusions specified in subsection (3), shall apply with respect to the variation of the rights attached to any such class that is entailed by the merger.

(2) Those provisions are—

(a) if the merging company is not a private company limited by shares, as appropriate—

(i) section 982;

(ii) section 1044;

(iii) section 1250;

or

(b) if the merging company is a private company limited by shares, the provisions of Chapter 4 of Part 3 on the variation of the rights attached to any class of shares in a company.

(3) There is excluded the following from the foregoing provisions:

(a) section 88 (9);

(b) section 982 (10) (including as it applies to a company other than a DAC);

(c) section 89 (including as it applies to a company other than a private company limited by shares).