

# THE TAKEOVER PANEL

## COMPANIES ACT 1985 S.428

Schedule 12 of the Financial Services Act 1986 substitutes new provisions for the compulsory acquisition powers in Sections 428 to 430 of the Companies Act 1985. The new provisions are to be brought into effect on 30 April 1987.

Acceptance conditions are generally framed to reflect the provisions of Section 428. If the new provisions come into effect during the course of an offer, offerors may wish to revise their offer to take account of them. The Panel should be consulted in these circumstances, but would normally expect to agree to a revision which is proposed for this purpose. Offerors should also consult their legal advisers before making any such revision.

Rule 24.9 of the Code, which relates to the exercise of compulsory acquisition powers, will not be appropriate for offers made subject to the new statutory provisions, and so will not apply in the case of such offers.

13 February 1987