

Chapter 11

Controllers and close links



11.7 Acquisition or increase of control: assessment process and criteria

- 11.7.1 G The assessment process and the assessment criteria are set out in sections 185 to 191 of the *Act*.

- 11.7.2 G Section 191A deals with the procedure the *appropriate regulator* must follow where the *appropriate regulator* reasonably believes that:
 - (1) there has been a failure to give notice under section 178(1) of the *Act* in circumstances where notice was required;
 - (2) there has been a breach of a condition imposed under section 187 of the *Act*; or
 - (3) there are grounds for objecting to control on the basis of the matters in section 186 of the *Act*.

- 11.7.3 G The *appropriate regulator* may serve *restriction notices* in certain circumstances in accordance with section 191B of the *Act*.

- 11.7.4 G The *appropriate regulator* may apply to the court for an order for the sale of *shares* in accordance with section 191C of the *Act*.

- 11.7.5 G [deleted]

- 11.7.6 G [deleted]

- 11.7.7 G [deleted]

- 11.7.8 G [deleted]

- 11.7.9 G [deleted]

- 11.7.10 G [deleted]

- 11.7.11 G [deleted]

- 11.7.12 G [deleted]

- 11.7.13 G Before making a determination under section 185 or giving a *warning notice* under section 191A, the *appropriate regulator* must comply with the requirements as to consultation with the other regulator set out in sections 187A, 187B and 191A of the *Act*, as applicable.

- 11.7.14 G [deleted]

- 11.7.15 G [deleted]

- 11.7.16 G [deleted]

- 11.7.17 G [deleted]

- 11.7.18 G [deleted]