



Companies Act 1985

1985 CHAPTER 6

PART XI **U.K.**

COMPANY ADMINISTRATION AND PROCEDURE

CHAPTER I **E+W+S**

COMPANY IDENTIFICATION

348 **Company name to appear outside place of business.** **E+W+S**

F1

Textual Amendments

F1 S. 348 repealed (1.10.2008) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2007/3495, art. 8(b), Sch. 3 Pt. 1 (with arts. 7, 12)

349 **Company's name to appear in its correspondence, etc.** **E+W+S**

F2

Textual Amendments

F2 S. 349 repealed (1.10.2008) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2007/3495, art. 8(b), Sch. 3 Pt. 1 (with arts. 7, 12)

350 **Company seal.** **E+W+S**

F3

Status: Point in time view as at 01/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Companies Act 1985, Part XI. (See end of Document for details)

Textual Amendments

F3 S. 350 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

351 Particulars in correspondence, etc. E+W+S

F4

Textual Amendments

F4 S. 351 repealed (1.10.2008) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(b)**, Sch. 3 Pt. 1 (with arts. 7, 12)

CHAPTER II E+W+S

REGISTER OF MEMBERS

352 Obligation to keep and enter up register. E+W+S

F5

Textual Amendments

F5 Ss. 352-355 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

352A Statement that company has only one member E+W+S

F6

Textual Amendments

F6 Ss. 352-355 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

353 Location of register. E+W+S

F7

Textual Amendments

F7 Ss. 352-355 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

Status: Point in time view as at 01/04/2013.

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354 Index of members. E+W+S

F8

Textual Amendments

F8 Ss. 352-355 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2008/2860, art. 4, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

355 Entries in register in relation to share warrants. E+W+S

F9

Textual Amendments

F9 Ss. 352-355 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2008/2860, art. 4, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

356 Inspection of register and index. E+W+S

F10

Textual Amendments

F10 S. 356 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with art. 12)

357 Non-compliance with ss. 353, 354, 356; agent's default. E+W+S

F11

Textual Amendments

F11 Ss. 357-365 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2008/2860, art. 4, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

358 Power to close register. E+W+S

F12

Textual Amendments

F12 Ss. 357-365 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2008/2860, art. 4, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

359 Power of court to rectify register. E+W+S

F13

Status: Point in time view as at 01/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Companies Act 1985, Part XI. (See end of Document for details)

Textual Amendments

F13 Ss. 357-365 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

360 Trusts not to be entered on register in England and Wales. E+W+S

F14

Textual Amendments

F14 Ss. 357-365 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

361 Register to be evidence. E+W+S

F15

Textual Amendments

F15 Ss. 357-365 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

362 Overseas branch registers. E+W+S

F16

Textual Amendments

F16 Ss. 357-365 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

^{F17}F17 CHAPTER III E+W+S

ANNUAL RETURN

Textual Amendments

F17 Ss. 357-365 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

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CHAPTER IV **U.K.**

MEETINGS AND RESOLUTIONS

Meetings

366 Annual general meeting. **U.K.**

F32

Textual Amendments

F32 S. 366 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

366A Election by private company to dispense with annual general meetings. **U.K.**

F33

Textual Amendments

F33 S. 366A repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

367 Secretary of State's power to call meeting in default. **U.K.**

F34

Textual Amendments

F34 S. 367 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

368 Extraordinary general meeting on members' requisition. **U.K.**

F35

Textual Amendments

F35 S. 368 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

Status: Point in time view as at 01/04/2013.

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369 Length of notice for calling meetings. **U.K.**

F36

Textual Amendments

F36 S. 369 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

370 General provisions as to meetings and votes. **U.K.**

F37

Textual Amendments

F37 S. 370 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

370A Quorum at meetings of the sole member **E+W+S**

F38

Textual Amendments

F38 S. 370A repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

371 Power of court to order meeting. **U.K.**

F39

Textual Amendments

F39 S. 371 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

372 Proxies. **U.K.**

F40

Textual Amendments

F40 S. 372 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

373 Right to demand a poll. **U.K.**

F41

Status: Point in time view as at 01/04/2013.

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Textual Amendments

F41 S. 373 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

374 Voting on a poll. U.K.

F42

Textual Amendments

F42 S. 374 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

375 Representation of corporations at meetings. U.K.

F43

Textual Amendments

F43 S. 375 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

Resolutions

376 Circulation of members' resolutions. U.K.

F44

Textual Amendments

F44 S. 376 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

377 In certain cases, compliance with s. 376 not required. U.K.

F45

Textual Amendments

F45 S. 377 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

378 Extraordinary and special resolutions. U.K.

F46

Status: Point in time view as at 01/04/2013.

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Textual Amendments

F46 S. 378 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

379 Resolution requiring special notice. U.K.

F47

Textual Amendments

F47 S. 379 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

379A Elective resolution of private company. E+W+S

F48

Textual Amendments

F48 S. 379A repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

380 Registration, etc. of resolutions and agreements. E+W+S

F49

Textual Amendments

F49 S. 380 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch.))

381 Resolution passed at adjourned meeting. U.K.

F50

Textual Amendments

F50 S. 381 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

Written resolutions of private companies

381A Written resolutions of private companies. E+W+S

F51

Status: Point in time view as at 01/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Companies Act 1985, Part XI. (See end of Document for details)

Textual Amendments

F51 S. 381A repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

381B Duty to notify auditors of proposed written resolution **U.K.**

F52

Textual Amendments

F52 S. 381B repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

381C Written resolutions: supplementary provisions. **E+W+S**

F53

Textual Amendments

F53 S. 381C repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

Records of proceedings

382 Minutes of meetings. **U.K.**

F54

Textual Amendments

F54 S. 382 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

382A Recording of written resolutions. **U.K.**

F55

Textual Amendments

F55 S. 382A repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

382B Recording of decisions by the sole member **E+W+S**

F56

Status: Point in time view as at 01/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Companies Act 1985, Part XI. (See end of Document for details)

Textual Amendments

F56 S. 382B repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

383 Inspection of minute books. U.K.

F57

Textual Amendments

F57 S. 383 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

^{F58} Appointment of auditors

Textual Amendments

F58 New ss. 384–388A inserted (subject to the savings and transitional provisions in S.I. 1990/355, arts. 4, 10, **Sch. 4**) by Companies Act 1989 (c. 40, SIF 27), ss. **118**, 119(1), 213(2), (as part of the text inserted to replace Chapter V as mentioned in s. 118 of the 1989 Act)

384 Duty to appoint auditors. E+W+S

F59

Textual Amendments

F59 S. 384 repealed (1.10.2007 with application to private companies) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

385 Appointment at general meeting at which accounts laid. E+W+S

F60

Textual Amendments

F60 S. 385 repealed (1.10.2007 with application to private companies) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

385A Appointment by private company which is not obliged to lay accounts. E+W+S

F61

Status: Point in time view as at 01/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Companies Act 1985, Part XI. (See end of Document for details)

Textual Amendments

F61 S. 385A repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

386 Election by private company to dispense with annual appointment. E+W+S

F62

Textual Amendments

F62 S. 386 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

387 Appointment by Secretary of State in default of appointment by company. E+W+S

F63

Textual Amendments

F63 S. 387 repealed (1.10.2007 with application to private companies) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

388 Filling of casual vacancies. E+W+S

F64

Textual Amendments

F64 S. 388 repealed (1.10.2007 with application to private companies) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

388A Certain companies exempt from obligation to appoint auditors E+W+S

F65]

Textual Amendments

F65 S. 388A repealed (1.10.2007 with application to private companies) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

F66 **389** U.K.

Status: Point in time view as at 01/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Companies Act 1985, Part XI. (See end of Document for details)

Textual Amendments

F66 S. 389 repealed (01.10.1991) by [Companies Act 1989 \(c. 40, SIF 27\)](#), ss. 212, 213(2), **Sch. 24**; S.I. 1991/1996, **art. 2(1)(c)(i)**.

Rights of auditors

389A Rights to information. **E+W+S**

F67

Textual Amendments

F67 S. 389A repealed (6.4.2008) by [Companies Act 2006 \(c. 46\)](#), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(a)**, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 4 paras. 11(2)(3), 12(2)(4), 13(2), 14(2), 15(2))

389B Offences relating to the provision of information to auditors **E+W+S**

F68

Textual Amendments

F68 S. 389B repealed (6.4.2008) by [Companies Act 2006 \(c. 46\)](#), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(a)**, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 4 paras. 11(2)(3), 12(2)(4), 13(2), 14(2), 15(2))

390 Right to attend company meetings, &c. **E+W+S**

F69

Textual Amendments

F69 S. 390 repealed (6.4.2008) by [Companies Act 2006 \(c. 46\)](#), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(a)**, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 4 paras. 11(2)(3), 12(2)(4), 13(2), 14(2), 15(2))

Remuneration of auditors

390A Remuneration of auditors. **E+W+S**

F70

Textual Amendments

F70 S. 390A repealed (6.4.2008) by [Companies Act 2006 \(c. 46\)](#), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(a)**, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 4 paras. 11(2)(3), 12(2)(4), 13(2), 14(2), 15(2))

Status: Point in time view as at 01/04/2013.

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390B Disclosure of services provided by auditors or associates and related remuneration **E+W+S**

F71

Textual Amendments

F71 S. 390B repealed (6.4.2008) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(a)**, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 4 paras. 11(2)(3), 12(2)(4), 13(2), 14(2), 15(2))

Removal, resignation, &c. of auditors

391 Removal of auditors. **E+W+S**

F72

Textual Amendments

F72 S. 391 repealed (6.4.2008) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(a)**, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 4 paras. 11(2)(3), 12(2)(4), 13(2), 14(2), 15(2))

391A Rights of auditors who are removed or not re-appointed. **E+W+S**

F73

Textual Amendments

F73 S. 391A repealed (6.4.2008) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(a)**, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 4 paras. 11(2)(3), 12(2)(4), 13(2), 14(2), 15(2))

392 Resignation of auditors. **E+W+S**

F74

Textual Amendments

F74 S. 392 repealed (6.4.2008) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(a)**, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 4 paras. 11(2)(3), 12(2)(4), 13(2), 14(2), 15(2))

392A Rights of resigning auditors. **E+W+S**

F75

Textual Amendments

F75 S. 392A repealed (6.4.2008) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(a)**, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 4 paras. 11(2)(3), 12(2)(4), 13(2), 14(2), 15(2))

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393 Termination of appointment of auditors not appointed annually. **E+W+S**

F76

Textual Amendments

F76 S. 393 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/2194, **art. 8**, Sch. 2 Pt. 1 (with art. 12)

394 Statement by person ceasing to hold office as auditor. **E+W+S**

F77

Textual Amendments

F77 S. 394 repealed (6.4.2008) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(a)**, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 4 para. 16(2))

394A Offences of failing to comply with s. 394. **E+W+S**

F78

Textual Amendments

F78 S. 394A repealed (6.4.2008) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2007/3495, **art. 8(a)**, Sch. 2 Pt. 1 (with arts. 7, 12, Sch. 4 para. 16(2))

Status:

Point in time view as at 01/04/2013.

Changes to legislation:

There are currently no known outstanding effects for the Companies Act 1985, Part XI.