



# Companies Act 1985

## 1985 CHAPTER 6

### PART XI **U.K.**

#### COMPANY ADMINISTRATION AND PROCEDURE

### CHAPTER IV **U.K.**

#### MEETINGS AND RESOLUTIONS

#### *<sup>F1</sup> Appointment of auditors*

##### Textual Amendments

- F1** 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**

**F2** .....

##### Textual Amendments

- F2** [S. 384](#) repealed (1.10.2007 with application to private companies) by [Companies Act 2006](#) (c. 46), ss. 1295, 1300, [Sch. 16](#); [S.I. 2007/2194](#), [art. 8](#), [Sch. 2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**

**F3** .....

*Changes to legislation: Companies Act 1985, Cross Heading: Appointment of auditors is up to date with all changes known to be in force on or before 20 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Textual Amendments**  
F3 S. 385 repealed (1.10.2007 with application to private companies) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with art. 12)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**

F4 .....

**Textual Amendments**  
F4 S. 385A repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with art. 12)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**

F5 .....

**Textual Amendments**  
F5 S. 386 repealed (1.10.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with art. 12)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**

F6 .....

**Textual Amendments**  
F6 S. 387 repealed (1.10.2007 with application to private companies) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with art. 12)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**

F7 .....

**Textual Amendments**  
F7 S. 388 repealed (1.10.2007 with application to private companies) by Companies Act 2006 (c. 46), ss. 1295, 1300, Sch. 16; S.I. 2007/2194, art. 8, Sch. 2 Pt. 1 (with art. 12)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**

F8 .....]

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**Changes to legislation:** Companies Act 1985, Cross Heading: Appointment of auditors is up to date with all changes known to be in force on or before 20 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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**Textual Amendments**

**F8** 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](#))

**F9** **389** ..... **U.K.**

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**Textual Amendments**

**F9** 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\(1\)\(c\)\(i\)](#).

**Changes to legislation:**

Companies Act 1985, Cross Heading: Appointment of auditors is up to date with all changes known to be in force on or before 20 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 380(4ZB) inserted by [2006 c. 50 Sch. 8 para. 75\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 8 para. 75 repealed (1.10.2009) by S.I. 2009/1941, arts. 1, 2(2), Sch. 2)
- s. 396(1)(a)(ii) words repealed (cond.) by [2000 asp 5 Sch. 12 para. 46\(2\)\(a\)\(3\)\(4\) Sch. 13 Pt. 1](#) (The commencement of sch. 12 para. 46(2)(a) is conditional upon whether or not Companies Act, 1989 (c. 40), s. 92 is in force, see sch. 12 para. 46(3)(4). 1989 c. 40, Pt. 4 (ss. 92-107) was repealed without ever being in force (1.10.2009) by 2006 c. 46, s. 1180, Sch. 16; S.I. 2008/2860, arts. 3, 4, Sch. 1)
- Sch. 15D para. 17(n) inserted by [2024 c. 13 Sch. 30 para. 6](#)