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Companies Act 2006

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- 1181 Access to constitutional documents of RTE and RTM companies

PART 40

COMPANY DIRECTORS: FOREIGN DISQUALIFICATION ETC

Introductory

- 1182 Persons subject to foreign restrictions
- 1183 Meaning of “the court” and “UK company”

Power to disqualify

- 1184 Disqualification of persons subject to foreign restrictions
- 1185 Disqualification regulations: supplementary
- 1186 Offence of breach of disqualification

Power to make persons liable for company's debts

- 1187 Personal liability for debts of company

Power to require statements to be sent to the registrar of companies

- 1188 Statements from persons subject to foreign restrictions
- 1189 Statements from persons disqualified
- 1190 Statements: whether to be made public
- 1191 Offences

PART 41

BUSINESS NAMES

CHAPTER 1

RESTRICTED OR PROHIBITED NAMES

Status: Point in time view as at 01/12/2013.

Changes to legislation: Companies Act 2006 is up to date with all changes known to be in force on or before 22 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)

Introductory

1192 Application of this Chapter

Sensitive words or expressions

- 1193 Name suggesting connection with government or public authority
- 1194 Other sensitive words or expressions
- 1195 Requirement to seek comments of government department or other relevant body
- 1196 Withdrawal of Secretary of State's approval

Misleading names

- 1197 Name containing inappropriate indication of company type or legal form
- 1198 Name giving misleading indication of activities

Supplementary

- 1199 Savings for existing lawful business names

CHAPTER 2

DISCLOSURE REQUIRED IN CASE OF INDIVIDUAL OR PARTNERSHIP

Introductory

- 1200 Application of this Chapter
- 1201 Information required to be disclosed

Disclosure requirements

- 1202 Disclosure required: business documents etc
- 1203 Exemption for large partnerships if certain conditions met
- 1204 Disclosure required: business premises

Consequences of failure to make required disclosure

- 1205 Criminal consequences of failure to make required disclosure
- 1206 Civil consequences of failure to make required disclosure

CHAPTER 3

SUPPLEMENTARY

- 1207 Application of general provisions about offences
- 1208 Interpretation

Status: Point in time view as at 01/12/2013.

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STATUTORY AUDITORS

CHAPTER 1

INTRODUCTORY

- 1209 Main purposes of Part
- 1210 Meaning of “statutory auditor” etc
- 1211 Eligibility for appointment as a statutory auditor: overview

CHAPTER 2

INDIVIDUALS AND FIRMS

Eligibility for appointment

- 1212 Individuals and firms: eligibility for appointment as a statutory auditor
- 1213 Effect of ineligibility

Independence requirement

- 1214 Independence requirement
- 1215 Effect of lack of independence

Effect of appointment of a partnership

- 1216 Effect of appointment of a partnership

Supervisory bodies

- 1217 Supervisory bodies
- 1218 Exemption from liability for damages

Professional qualifications

- 1219 Appropriate qualifications
- 1220 Qualifying bodies and recognised professional qualifications
- 1221 Approval of third country qualifications
- 1222 Eligibility of individuals retaining only 1967 Act authorisation

Information

- 1223 Matters to be notified to the Secretary of State
- 1223A Notification of matters relevant to other EEA States
 - 1224 The Secretary of State's power to call for information
- 1224A Restrictions on disclosure
- 1224B Offence of disclosure in contravention of section 1224A

Enforcement

- 1225 Enforcement: general
- 1225A Directions: general
- 1225B Directions: supplementary
- 1225C Compliance orders
- 1225D Financial penalties: general

Status: Point in time view as at 01/12/2013.

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- 1225E Financial penalties: supplementary
- 1225F Appeals against financial penalties
- 1225G Recovery of financial penalties

CHAPTER 3

AUDITORS GENERAL

Eligibility for appointment

- 1226 Auditors General: eligibility for appointment as a statutory auditor

Conduct of audits

- 1227 Individuals responsible for audit work on behalf of Auditors General

The Independent Supervisor

- 1228 Appointment of the Independent Supervisor

Supervision of Auditors General

- 1229 Supervision of Auditors General by the Independent Supervisor
- 1230 Duties of Auditors General in relation to supervision arrangements

Reporting requirement

- 1231 Reports by the Independent Supervisor

Information

- 1232 Matters to be notified to the Independent Supervisor
- 1233 The Independent Supervisor's power to call for information

Enforcement

- 1234 Suspension notices
- 1235 Effect of suspension notices
- 1236 Compliance orders

Proceedings

- 1237 Proceedings involving the Independent Supervisor

Grants

- 1238 Grants to the Independent Supervisor

CHAPTER 4

THE REGISTER OF AUDITORS ETC

- 1239 The register of auditors
- 1240 Information to be made available to public

Status: Point in time view as at 01/12/2013.

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CHAPTER 5

REGISTERED THIRD COUNTRY AUDITORS

Introductory

- 1241 Meaning of “registered third country auditor” and “UK-traded non-EEA company”

Duties

- 1242 Duties of registered third country auditors

Information

- 1243 Matters to be notified to the Secretary of State
1244 The Secretary of State's power to call for information

Enforcement

- 1245 Compliance orders
1246 Removal of third country auditors from the register of auditors
1247 Grants to bodies concerned with arrangements under Schedule 12

CHAPTER 6

SUPPLEMENTARY AND GENERAL

Power to require second company audit

- 1248 Secretary of State's power to require second audit of a company
1249 Supplementary provision about second audits

False and misleading statements

- 1250 Misleading, false and deceptive statements

Fees

- 1251 Fees

Duty of Secretary of State to report on inspections

- 1251A Duty of the Secretary of State to report on inspections

Delegation of Secretary of State's functions

- 1252 Delegation of the Secretary of State's functions
1253 Delegation of functions to an existing body

Cooperation with foreign competent authorities

- 1253A Requests to foreign competent authorities
1253B Requests from EEA competent authorities
1253C Notification to competent authorities of other EEA States

Status: Point in time view as at 01/12/2013.

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Transfer of papers to third countries

- 1253D Restriction on transfer of audit working papers to third countries
- 1253DA Transfer by Secretary of State
- 1253DB Transfer by statutory auditor with approval of Secretary of State
- 1253DC Transfer by statutory auditor for purposes of investigation of auditor
- 1253DD Agreement of EEA competent authority
- 1253DE Transfer by means of inspection
- 1253E Working arrangements for transfer of papers
- 1253F Publication of working arrangements

International obligations

- 1254 Directions to comply with international obligations

General provision relating to offences

- 1255 Offences by bodies corporate, partnerships and unincorporated associations
- 1256 Time limits for prosecution of offences
- 1257 Jurisdiction and procedure in respect of offences

Notices etc

- 1258 Service of notices
- 1259 Documents in electronic form

Interpretation

- 1260 Meaning of “associate”
- 1261 Minor definitions
- 1262 Index of defined expressions

Miscellaneous and general

- 1263 Power to make provision in consequence of changes affecting accountancy bodies
- 1264 Consequential amendments

PART 43

TRANSPARENCY OBLIGATIONS AND RELATED MATTERS

Introductory

- 1265 The transparency obligations directive

Transparency obligations

- 1266 Transparency rules
- 1267 Competent authority's power to call for information
- 1268 Powers exercisable in case of infringement of transparency obligation

Other matters

- 1269 Corporate governance rules
- 1270 Liability for false or misleading statements in certain publications
- 1271 Exercise of powers where UK is host member State

Status: Point in time view as at 01/12/2013.

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- 1272 Transparency obligations and related matters: minor and consequential amendments
- 1273 Corporate governance regulations

PART 44

MISCELLANEOUS PROVISIONS

Regulation of actuaries etc

- 1274 Grants to bodies concerned with actuarial standards etc
- 1275 Levy to pay expenses of bodies concerned with actuarial standards etc
- 1276 Application of provisions to Scotland and Northern Ireland

Information as to exercise of voting rights by institutional investors

- 1277 Power to require information about exercise of voting rights
- 1278 Institutions to which information provisions apply
- 1279 Shares to which information provisions apply
- 1280 Obligations with respect to provision of information

Disclosure of information under the Enterprise Act 2002

- 1281 Disclosure of information under the Enterprise Act 2002

Expenses of winding up

- 1282 Payment of expenses of winding up

Commonhold associations

- 1283 Amendment of memorandum or articles of commonhold association

PART 45

NORTHERN IRELAND

- 1284 Extension of Companies Acts to Northern Ireland
- 1285 Extension of GB enactments relating to SEs
- 1286 Extension of GB enactments relating to certain other forms of business organisation
- 1287 Extension of enactments relating to business names

PART 46

GENERAL SUPPLEMENTARY PROVISIONS

Regulations and orders

- 1288 Regulations and orders: statutory instrument
- 1289 Regulations and orders: negative resolution procedure
- 1290 Regulations and orders: affirmative resolution procedure
- 1291 Regulations and orders: approval after being made
- 1292 Regulations and orders: supplementary

Meaning of “enactment”

- 1293 Meaning of “enactment”

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Consequential and transitional provisions

- 1294 Power to make consequential amendments etc
- 1295 Repeals
- 1296 Power to make transitional provision and savings
- 1297 Continuity of the law

PART 47

FINAL PROVISIONS

- 1298 Short title
- 1299 Extent
- 1300 Commencement

Companies Act 2006

SCHEDULE 1 — Connected persons: references to an interest in shares or debentures

Introduction

- 1 (1) The provisions of this Schedule have effect for the...

General provisions

- 2 (1) A reference to an interest in shares includes any...

Rights to acquire shares

- 3 (1) A person is taken to have an interest in...

Right to exercise or control exercise of rights

- 4 (1) A person is taken to have an interest in...

Bodies corporate

- 5 (1) A person is taken to be interested in shares...

Trusts

- 6 (1) Where an interest in shares is comprised in property...

SCHEDULE 2 — Specified persons, descriptions of disclosures etc for the purposes of section 948

PART 1 — SPECIFIED PERSONS

(A) UNITED KINGDOM

- 1 The Secretary of State.
- 2 The Department of Enterprise, Trade and Investment for Northern Ireland...
- 3 The Treasury.
- 4 The Bank of England.

Status: Point in time view as at 01/12/2013.

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- 5 The Financial Services Authority.
- 6 The Commissioners for Her Majesty's Revenue and Customs.
- 7 The Lord Advocate.
- 8 The Director of Public Prosecutions.
- 9 The Director of Public Prosecutions for Northern Ireland.
- 10 A constable.
- 11 A procurator fiscal.
- 12 The Scottish Ministers.

(B) JERSEY

- 1 The Minister for Economic Development.
- 2 The Minister for Treasury and Resources.
- 3 The Jersey Financial Services Commission.
- 4 The Comptroller of Income Tax.
- 5 The Agent of the Impôts.
- 6 Her Majesty's Attorney General for Jersey.
- 7 The Viscount.
- 8 A police officer (within the meaning of the Interpretation (Jersey)...

(C) GUERNSEY

- 1 The Commerce and Employment Department.
- 2 The Treasury and Resources Department.
- 3 The Guernsey Financial Services Commission.
- 4 The Director of Income Tax.
- 5 The Chief Officer of Customs and Excise.
- 6 Her Majesty's Procureur.
- 7 A police officer (within the meaning of the Companies (Guernsey)...

(D) ISLE OF MAN

- 1 (1) The members and officers of each of the Departments...
 - 2 The Treasury of the Isle of Man.
 - 3 The Financial Supervision Commission of the Isle of Man.
 - 4 Her Majesty's Attorney General of the Isle of Man.
 - 5 A constable (within the meaning of the Interpretation Act 1976...
- PART 2 — SPECIFIED DESCRIPTIONS OF DISCLOSURES

(A) UNITED KINGDOM

- 1 A disclosure for the purpose of enabling or assisting a...
- 2 A disclosure for the purpose of enabling or assisting an...
- 3 A disclosure for the purpose of enabling or assisting a...
- 4 A disclosure for the purpose of enabling or assisting a...
- 5 A disclosure for the purpose of enabling or assisting a...
- 6 A disclosure for the purpose of enabling or assisting a...
- 7 A disclosure for the purpose of enabling or assisting the...
- 8 A disclosure for the purpose of enabling or assisting a...

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- 9 A disclosure for the purpose of enabling or assisting a...
- 10 A disclosure for the purpose of enabling or assisting a...
- 11 A disclosure for the purpose of enabling or assisting the...
- 12 A disclosure for the purpose of enabling or assisting a...
- 13 A disclosure for the purpose of enabling or assisting the...
- 14 A disclosure for the purpose of enabling or assisting the...
- 15 A disclosure for the purpose of enabling or assisting the...
- 16 A disclosure for the purpose of enabling or assisting a...
- 17 A disclosure for the purpose of enabling or assisting an...
- 18 A disclosure for the purpose of enabling or assisting the...
- 19 A disclosure for the purpose of enabling or assisting a...
- 20 A disclosure for the purpose of enabling or assisting the...
- 21 A disclosure for the purpose of enabling or assisting the...
- 22 A disclosure for the purpose of enabling or assisting the...
- 23 A disclosure for the purpose of enabling or assisting the...
- 24 A disclosure for the purpose of enabling or assisting organs...
- 25 A disclosure for the purpose of enabling or assisting the...
- 26 A disclosure for the purpose of enabling or assisting the...
- 27 A disclosure with a view to the institution of, or...
- 28 A disclosure for the purpose of enabling or assisting an...
- 29 A disclosure for the purpose of enabling or assisting the...
- 30 A disclosure for the purpose of enabling or assisting the...
- 31 A disclosure for the purpose of enabling or assisting the...
- 32 A disclosure by the Gambling Commission to the Comptroller and...
- 33 A disclosure for the purpose of enabling or assisting a...
- 34 A disclosure for the purpose of enabling or assisting an...
- 35 A disclosure for the purpose of enabling or assisting an...
- 36 A disclosure for the purpose of enabling or assisting a...
- 37 A disclosure for the purpose of enabling or assisting the...
- 38 A disclosure for the purpose of enabling or assisting the...
- 39 A disclosure for the purpose of enabling or assisting a...
- 40 (1) A disclosure for the purpose of enabling or assisting...
- 41 A disclosure for the purpose of enabling or assisting a...
- 42 A disclosure for the purpose of enabling or assisting a...
- 43 A disclosure with a view to the institution of, or...
- 44 A disclosure for the purpose of enabling or assisting a...
- 45 A disclosure for the purpose of enabling or assisting a...
- 46 A disclosure for the purpose of enabling or assisting the...
- 47 A disclosure for the purpose of enabling or assisting a...
- 48 A disclosure with a view to the institution of, or...
- 49 A disclosure with a view to the institution of, or...
- 50 A disclosure for the purposes of proceedings before a tribunal...
- 51 A disclosure for the purpose of enabling or assisting a...
- 52 (1) A disclosure with a view to the institution of,...
- 53 (1) A disclosure with a view to the institution of,...

(B) JERSEY

- 1 A disclosure for the purpose of enabling or assisting an...
- 2 A disclosure for the purpose of enabling or assisting a...
- 3 A disclosure for the purpose of enabling or assisting an...
- 4 A disclosure for the purpose of enabling or assisting the...

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- 5 A disclosure for the purpose of enabling or assisting the...
- 6 A disclosure for the purpose of enabling or assisting the...
- 7 A disclosure for the purpose of enabling or assisting the...
- 8 A disclosure for the purpose of enabling or assisting Her...
- 9 A disclosure for the purpose of enabling or assisting Her...
- 10 A disclosure for the purpose of enabling or assisting the...
- 11 A disclosure with a view to the institution of, or...
- 12 (1) A disclosure with a view to the institution of,...
- 13 (1) A disclosure with a view to the institution of,...

(C) GUERNSEY

- 1 A disclosure for the purpose of enabling or assisting the...
- 2 A disclosure for the purpose of enabling or assisting a...
- 3 A disclosure for the purpose of enabling or assisting Her...
- 4 A disclosure for the purpose of enabling or assisting the...
- 5 A disclosure for the purpose of enabling or assisting any...
- 6 A disclosure with a view to the institution of, or...
- 7 (1) A disclosure with a view to the institution of,...
- 8 (1) A disclosure with a view to the institution of,...

(D) ISLE OF MAN

- 1 A disclosure for the purpose of enabling or assisting an...
- 2 A disclosure for the purpose of enabling or assisting a...
- 3 A disclosure for the purpose of enabling or assisting the...
- 4 A disclosure for the purpose of enabling or assisting an...
- 5 A disclosure for the purpose of enabling or assisting the...
- 6 A disclosure for the purpose of enabling or assisting an...
- 7 A disclosure for the purpose of enabling or assisting the...
- 8 A disclosure with a view to the institution of, or...
- 9 A disclosure for the purpose of enabling or assisting—
- 10 A disclosure for the purpose of enabling or assisting the...
- 11 A disclosure for the purpose of enabling or assisting the...
- 12 A disclosure for the purpose of enabling or assisting the...
- 13 A disclosure for the purpose of enabling or assisting Her...
- 14 A disclosure for the purpose of enabling or assisting the...
- 15 A disclosure for the purpose of enabling or assisting an...
- 16 (1) A disclosure with a view to the institution of,...
- 17 (1) A disclosure with a view to the institution of,...

(E) GENERAL

- 1 A disclosure for the purpose of enabling or assisting—
- 2 (1) A disclosure for the purpose of enabling or assisting...
- 3 A disclosure with a view to the institution of, or...
- 4 A disclosure for the purpose of the provision of a...
- 5 A disclosure in pursuance of any EU obligation.

PART 3 — OVERSEAS REGULATORY BODIES

- 1 (1) A disclosure is made in accordance with this Part...

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2 In determining whether to disclose information to a person or...

SCHEDULE 3 — Amendments of remaining provisions of the Companies Act 1985 relating to offences

Failure to give information about interests in shares etc

1 (1) In subsection (3) of section 444 of the Companies...

Obstruction of rights conferred by a warrant or failure to comply with requirement under section 448

2 (1) In section 448(7) of the Companies Act 1985 (obstruction...

Wrongful disclosure of information to which section 449 applies

3 (1) Section 449 of the Companies Act 1985 (wrongful disclosure...

Destruction, mutilation etc of company documents

4 (1) For subsection (3) of section 450 of the Companies...

Provision of false information in purported compliance with section 447

5 (1) For subsection (2) of section 451 of the Companies...

Obstruction of inspector, etc exercising power to enter and remain on premises

6 (1) Section 453A of the Companies Act 1985 (obstruction of...

Attempted evasion of restrictions under Part 15

7 (1) In subsection (1) of section 455 of the Companies...

SCHEDULE 4 — Documents and information sent or supplied to a company
Part 1 — INTRODUCTION

Application of Schedule

1 (1) This Schedule applies to documents or information sent or...
Part 2 — COMMUNICATIONS IN HARD COPY FORM

Introduction

2 A document or information is validly sent or supplied to...

Method of communication in hard copy form

3 (1) A document or information in hard copy form may...

Address for communications in hard copy form

4 A document or information in hard copy form may be...

Part 3 — COMMUNICATIONS IN ELECTRONIC FORM

Introduction

5 A document or information is validly sent or supplied to...

Status: Point in time view as at 01/12/2013.

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Conditions for use of communications in electronic form

6 A document or information may only be sent or supplied...

Address for communications in electronic form

7 (1) Where the document or information is sent or supplied...

Part 4 — OTHER AGREED FORMS OF COMMUNICATION

8 A document or information that is sent or supplied to...

SCHEDULE 5 — Communications by a company

Part 1 — INTRODUCTION

Application of this Schedule

1 This Schedule applies to documents or information sent or supplied...

Part 2 — COMMUNICATIONS IN HARD COPY FORM

Introduction

2 A document or information is validly sent or supplied by...

Method of communication in hard copy form

3 (1) A document or information in hard copy form must...

Address for communications in hard copy form

4 (1) A document or information in hard copy form may...

Part 3 — COMMUNICATIONS IN ELECTRONIC FORM

Introduction

5 A document or information is validly sent or supplied by...

Agreement to communications in electronic form

6 A document or information may only be sent or supplied...

Address for communications in electronic form

7 (1) Where the document or information is sent or supplied...

Part 4 — COMMUNICATIONS BY MEANS OF A WEBSITE

Use of website

8 A document or information is validly sent or supplied by...

Agreement to use of website

9 A document or information may only be sent or supplied...

Deemed agreement of members of company etc to use of website

10 (1) This paragraph applies to a document or information to...

Deemed agreement of debenture holders to use of website

11 (1) This paragraph applies to a document or information to...

Status: Point in time view as at 01/12/2013.

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Availability of document or information

- 12 (1) A document or information authorised or required to be...

Notification of availability

- 13 (1) The company must notify the intended recipient of—

Period of availability on website

- 14 (1) The company must make the document or information available...

Part 5 — OTHER AGREED FORMS OF COMMUNICATION

- 15 A document or information that is sent or supplied otherwise...

Part 6 — SUPPLEMENTARY PROVISIONS

Joint holders of shares or debentures

- 16 (1) This paragraph applies in relation to documents or information...

Death or bankruptcy of holder of shares

- 17 (1) This paragraph has effect in the case of the...

SCHEDULE 6 — Meaning of “subsidiary” etc: supplementary provisions

Introduction

- 1 The provisions of this Part of this Schedule explain expressions...

Voting rights in a company

- 2 In section 1159(1)(a) and (c) the references to the voting...

Right to appoint or remove a majority of the directors

- 3 (1) In section 1159(1)(b) the reference to the right to...

Rights exercisable only in certain circumstances or temporarily incapable of exercise

- 4 (1) Rights which are exercisable only in certain circumstances shall...

Rights held by one person on behalf of another

- 5 Rights held by a person in a fiduciary capacity shall...

- 6 (1) Rights held by a person as nominee for another...

Rights attached to shares held by way of security

- 7 Rights attached to shares held by way of security shall...

Rights attributed to holding company

- 8 (1) Rights shall be treated as held by a holding...

Disregard of certain rights

- 9 The voting rights in a company shall be reduced by...

Status: Point in time view as at 01/12/2013.

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Supplementary

10 References in any provision of paragraphs 5 to 9 to...

SCHEDULE 7 — Parent and subsidiary undertakings: supplementary provisions

Introduction

1 The provisions of this Schedule explain expressions used in section...

Voting rights in an undertaking

2 (1) In section 1162(2)(a) and (d) the references to the...

Right to appoint or remove a majority of the directors

3 (1) In section 1162(2)(b) the reference to the right to...

Right to exercise dominant influence

4 (1) For the purposes of section 1162(2)(c) an undertaking shall...

Rights exercisable only in certain circumstances or temporarily incapable of exercise

5 (1) Rights which are exercisable only in certain circumstances shall...

Rights held by one person on behalf of another

6 Rights held by a person in a fiduciary capacity shall...

7 (1) Rights held by a person as nominee for another...

Rights attached to shares held by way of security

8 Rights attached to shares held by way of security shall...

Rights attributed to parent undertaking

9 (1) Rights shall be treated as held by a parent...

Disregard of certain rights

10 The voting rights in an undertaking shall be reduced by...

Supplementary

11 References in any provision of paragraphs 6 to 10 to...

SCHEDULE 8 — Index of defined expressions

SCHEDULE 9 — Removal of special provisions about accounts and audit of charitable companies

Part 1 — THE COMPANIES ACT 1985 (C. 6)

1 In section 240 (requirements in connection with publication of accounts)

—...

2 In section 245 (voluntary revision of annual accounts or directors'...

3 In section 249A (exemptions from audit)— (a) omit subsections (2),...

4 In section 249B (cases where exemptions not available)—

5 Omit section 249C (report required for purposes of section 249A(2))....

Status: Point in time view as at 01/12/2013.

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- 6 Omit section 249D (the reporting accountant).
- 7 In section 249E (effect of exemptions) omit subsection (2).
- 8 In section 262A (index of defined expressions) omit the entry...
Part 2 — THE COMPANIES (NORTHERN IRELAND) ORDER 1986 (S.I. 1986/1032 (N.I. 6))
- 9 In Article 248 (requirements in connection with publication of accounts)
—...
- 10 In Article 253 (voluntary revision of annual accounts or directors'...
- 11 In Article 257A (exemptions from audit)— (a) omit paragraphs (2),...
- 12 In Article 257B (cases where exemptions not available)—
- 13 Omit Article 257C (report required for purposes of Article 257A(2))....
- 14 Omit Article 257D (the reporting accountant).
- 15 In Article 257E (effect of exemptions) omit paragraph (2).
- 16 In Article 270A (index of defined expressions) omit the entry...

SCHEDULE 10 — Recognised supervisory bodies
Part 1 — GRANT AND REVOCATION OF RECOGNITION OF A SUPERVISORY BODY

Application for recognition of supervisory body

- 1 (1) A supervisory body may apply to the Secretary of...

Grant and refusal of recognition

- 2 (1) The Secretary of State may, on an application duly...

Revocation of recognition

- 3 (1) A recognition order may be revoked by a further...

Transitional provision

- 4 A recognition order made and not revoked under—

Orders not statutory instruments

- 5 Orders under this Part of this Schedule shall not be...

Part 2 — REQUIREMENTS FOR RECOGNITION OF A SUPERVISORY BODY

Holding of appropriate qualification

- 6 (1) The body must have rules to the effect that...
- 7 (1) This paragraph explains what is meant in paragraph 6(1)(b)...

Auditors to be fit and proper persons

- 8 (1) The body must have adequate rules and practices designed...

Professional integrity and independence

- 9 (1) The body must have adequate rules and practices designed...

Technical standards

- 10 (1) The body must have rules and practices as to—...

Status: Point in time view as at 01/12/2013.

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Technical standards for group audits

10A (1) The body must have rules and practices as to...

Public interest entity reporting requirements

10B (1) The body must have adequate rules and practices designed...

Public interest entity independence requirements

10C (1) The body must have adequate rules and practices designed...

Procedures for maintaining competence

11 The body must have rules and practices designed to ensure...

Monitoring and enforcement

12 (1) The body must— (a) have adequate resources for the...

Monitoring of audits

13 (1) The body must— (a) . . . have adequate...

Membership, eligibility and discipline

14 The rules and practices of the body relating to—

Investigation of complaints

15 (1) The body must have effective arrangements for the investigation...

Independent investigation for disciplinary purposes of public interest cases

16 (1) The body must— (a) participate in arrangements within paragraph...

Transfer of papers to third countries

16A (1) The body must have adequate rules and practices designed...

Transfer to approved third country competent authority

16AA The requirements of this paragraph are that—

Transfer for purposes of investigation of auditor

16AB (1) The requirements of this paragraph are that—

Meeting of claims arising out of audit work

17 (1) The body must have adequate rules or arrangements designed...

Register of auditors and other information to be made available

18 The body must have rules requiring persons eligible under its...

Taking account of costs of compliance

19 The body must have satisfactory arrangements for taking account, in...

Status: Point in time view as at 01/12/2013.

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Promotion and maintenance of standards

- 20 The body must be able and willing—

Interpretation

- 20A In this Part of this Schedule— “ public interest entity...
Part 3 — ARRANGEMENTS IN WHICH RECOGNISED SUPERVISORY BODIES
ARE REQUIRED TO PARTICIPATE

Arrangements for setting standards relating to professional integrity and independence

- 21 The arrangements referred to in paragraph 9(2) are appropriate arrangements—...

Arrangements for setting technical standards

- 22 The arrangements referred to in paragraphs 10(2) and 10A(2) are...

Arrangements for setting standards relating to public interest entity reporting requirements

- 22A The arrangements referred to in paragraph 10B(3) are appropriate arrangements—...

Arrangements for setting standards relating to public interest entity independence requirements

- 22B The arrangements referred to in paragraph 10C(2) are appropriate arrangements—...

Arrangements for independent monitoring of audits of listed companies and other major bodies

- 23 (1) The arrangements referred to in paragraph 13(1)(b)(i) are appropriate...

Arrangements for independent monitoring of third country audits

- 23A (1) The arrangements referred to in paragraph 13(1)(ba)(i) are appropriate...

Arrangements for independent investigation for disciplinary purposes of public interest cases

- 24 (1) The arrangements referred to in paragraph 16(1) are appropriate...

Supplementary: arrangements to operate independently of body

- 25 (1) This paragraph applies for the purposes of—

Supplementary: funding of arrangements

- 26 The body must pay any of the costs of maintaining...

Supplementary: scope of arrangement

- 27 Arrangements may qualify as arrangements within any of paragraphs 21,...

SCHEDULE 11 — Recognised professional qualifications

Status: Point in time view as at 01/12/2013.

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Part 1 — GRANT AND REVOCATION OF RECOGNITION OF A PROFESSIONAL QUALIFICATION

Application for recognition of professional qualification

- 1 (1) A qualifying body may apply to the Secretary of...

Grant and refusal of recognition

- 2 (1) The Secretary of State may, on an application duly...

Revocation of recognition

- 3 (1) A recognition order may be revoked by a further...

Transitional provision

- 4 A recognition order made and not revoked under—

Orders not statutory instruments

- 5 Orders under this Part of this Schedule shall not be...

Part 2 — REQUIREMENTS FOR RECOGNITION OF A PROFESSIONAL QUALIFICATION

Entry requirements

- 6 (1) The qualification must only be open to persons who—...

Requirement for theoretical instruction or professional experience

- 7 (1) The qualification must be restricted to persons who—

Examination

- 8 (1) The qualification must be restricted to persons who have...

Practical training

- 9 (1) The qualification must be restricted to persons who have...

Supplementary provision with respect to a sufficient period of professional experience

- 10 (1) Periods of theoretical instruction in the fields of finance,...

The body offering the qualification

- 11 (1) The body offering the qualification must have—

SCHEDULE 11A — Specified persons, descriptions, disclosures etc for the purposes of section 1224A

PART 1 — SPECIFIED PERSONS

- 1 The Secretary of State.
- 2 The Department of Enterprise, Trade and Investment for Northern Ireland...
- 3 The Treasury.
- 4 The Bank of England.
- 5 The Financial Services Authority.

Status: Point in time view as at 01/12/2013.

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- 6 The Commissioners for Her Majesty's Revenue and Customs.
 - 7 The Lord Advocate.
 - 8 The Director of Public Prosecutions.
 - 9 The Director of Public Prosecutions for Northern Ireland.
 - 10 A constable.
 - 11 A procurator fiscal.
 - 12 The Scottish Ministers.
 - 13 A body designated by the Secretary of State under section...
 - 14 A recognised supervisory body.
 - 15 A recognised qualifying body.
 - 16 A body with which a recognised supervisory body is participating...
 - 17 The Independent Supervisor.
- PART 2 — SPECIFIED DESCRIPTIONS OF DISCLOSURES
- 18 A disclosure for the purpose of enabling or assisting a...
 - 19 A disclosure for the purpose of enabling or assisting an...
 - 20 A disclosure for the purpose of enabling or assisting a...
 - 21 A disclosure for the purpose of enabling or assisting a...
 - 22 A disclosure for the purpose of enabling or assisting a...
 - 23 A disclosure for the purpose of enabling or assisting a...
 - 24 A disclosure for the purpose of enabling or assisting the...
 - 25 A disclosure for the purpose of enabling or assisting a...
 - 26 A disclosure for the purpose of enabling or assisting a...
 - 27 A disclosure for the purpose of enabling or assisting a...
 - 28 A disclosure for the purpose of enabling or assisting the...
 - 29 A disclosure for the purpose of enabling or assisting a...
 - 30 A disclosure for the purpose of enabling or assisting the...
 - 31 A disclosure for the purpose of enabling or assisting the...
 - 32 A disclosure for the purpose of enabling or assisting the...
 - 33 A disclosure for the purpose of enabling or assisting a...
 - 34 A disclosure for the purpose of enabling or assisting the...
 - 35 A disclosure for the purpose of enabling or assisting the...
 - 36 A disclosure for the purpose of enabling or assisting—
 - 37 A disclosure for the purpose of enabling or assisting the...
 - 38 A disclosure for the purpose of enabling or assisting organs...
 - 39 A disclosure for the purpose of enabling or assisting the...
 - 40 A disclosure for the purpose of enabling or assisting the...
 - 41 A disclosure with a view to the institution of, or...
 - 42 A disclosure for the purpose of enabling or assisting an...
 - 43 A disclosure for the purpose of enabling or assisting the...
 - 44 A disclosure for the purpose of enabling or assisting the...
 - 45 A disclosure for the purpose of enabling or assisting the...
 - 46 A disclosure for the purpose of enabling or assisting the...
 - 47 A disclosure by the Gambling Commission to the Comptroller and...
 - 48 A disclosure for the purpose of enabling or assisting a...
 - 49 A disclosure for the purpose of enabling or assisting an...
 - 50 A disclosure for the purpose of enabling or assisting an...
 - 51 A disclosure for the purpose of enabling or assisting a...
 - 52 A disclosure for the purpose of enabling or assisting the...
 - 53 A disclosure for the purpose of enabling or assisting the...
 - 54 A disclosure for the purpose of enabling or assisting a...
 - 55 A disclosure for the purpose of enabling or assisting a...
 - 56 A disclosure for the purpose of enabling or assisting a...
 - 57 A disclosure for the purpose of enabling or assisting a...

Status: Point in time view as at 01/12/2013.

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- 58 A disclosure with a view to the institution of, or...
 - 59 A disclosure for the purpose of enabling or assisting a...
 - 60 A disclosure for the purpose of enabling or assisting a...
 - 61 A disclosure for the purpose of making available to an...
 - 62 A disclosure for the purpose of making available to the...
 - 63 A disclosure for the purpose of enabling or assisting an...
 - 64 A disclosure for the purpose of enabling or assisting the...
 - 65 A disclosure for the purpose of enabling or assisting a...
 - 66 A disclosure for the purpose of enabling or assisting an...
 - 67 A disclosure for the purpose of enabling or assisting the...
 - 68 A disclosure with a view to the institution of, or...
 - 69 A disclosure for the purpose of enabling or assisting a...
 - 70 A disclosure with a view to the institution of, or...
 - 71 A disclosure with a view to the institution of, or...
 - 72 A disclosure for the purposes of proceedings before the Financial...
 - 73 A disclosure for the purposes of proceedings before a tribunal...
 - 74 A disclosure for the purpose of enabling or assisting a...
 - 75 A disclosure with a view to the institution of, or...
 - 76 A disclosure with a view to the institution of, or...
 - 77 A disclosure for the purpose of the provision of a...
 - 78 A disclosure in pursuance of any EU obligation.
- PART 3 — OVERSEAS REGULATORY BODIES
- 79 A disclosure is made in accordance with this Part of...
 - 80 A disclosure is made in accordance with this Part of...

SCHEDULE 12 — Arrangements in which registered third country auditors are required to participate

Arrangements for independent monitoring of audits of UK-traded non-EEA companies

- 1 (1) The arrangements referred to in section 1242(1)(a) are appropriate...

Arrangements for independent investigations for disciplinary purposes

- 2 (1) The arrangements referred to in section 1242(1)(b) are appropriate...

Supplementary: arrangements to operate independently of third country auditor

- 3 (1) This paragraph applies for the purposes of—

Supplementary: funding of arrangements

- 4 (1) The registered third country auditor must pay any of...

Supplementary: scope of arrangements

- 5 Arrangements may qualify as arrangements within either of paragraphs 1...

Specification of particular arrangements by the Secretary of State

- 6 (1) If there exist two or more sets of arrangements...

SCHEDULE 13 — Supplementary provisions with respect to delegation order

Status: Point in time view as at 01/12/2013.

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Operation of this Schedule

- 1 (1) This Schedule has effect in relation to a body...

Status

- 2 The body is not to be regarded as acting on...

Name, members and chairman

- 3 (1) The body is to be known by such name...

Financial provisions

- 4 (1) The body must pay to its chairman and members...

Proceedings

- 5 (1) The delegation order may contain such provision as the...

Fees

- 6 (1) The body may retain fees payable to it.

Legislative functions

- 7 (1) Regulations or an order made by the body in...
8 (1) Immediately after an instrument is made it must be...
9 (1) The production of a printed copy of an instrument...

Report and accounts

- 10 (1) The body must, at least once in each calendar...

Other supplementary provisions

- 11 (1) The transfer of a function to a body designated...
12 Where a delegation order is revoked, the Secretary of State...
13 (1) This paragraph applies where the body is an unincorporated...

SCHEDULE 14 — Statutory auditors: consequential amendments

Companies (Audit, Investigations and Community Enterprise) Act 2004 (c. 27)

- 1 (1) Section 16 of the Companies (Audit, Investigations and Community...

SCHEDULE 15 — Transparency obligations and related matters: minor and consequential amendments

Part 1 — AMENDMENTS OF THE FINANCIAL SERVICES AND MARKETS ACT 2000

- 1 Part 6 of the Financial Services and Markets Act 2000...
2 In section 73 (general duty of competent authority), after subsection...
3 In section 73A (Part 6 Rules), after subsection (5) insert—...
4 For the cross-heading before section 90 substitute “ Compensation for...
5 For the heading to section 90 substitute “ Compensation for...
6 (1) Section 91 (penalties for breach of Part 6 rules)...

Status: Point in time view as at 01/12/2013.

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- 7 In section 96B (persons discharging managerial responsibilities and connected persons)—...
 - 8 In section 97(1) (appointment by the competent authority of persons...
 - 9 In section 99 (fees) after subsection (1B) insert—
 - 10 (1) Section 102A (meaning of “securities” etc) is amended as...
 - 11 (1) Section 103(1) (interpretation of Part 6) is amended as...
 - 12 In section 429(2) (Parliamentary control of statutory instruments: affirmative procedure)...
- Part 2 — AMENDMENTS OF THE COMPANIES (AUDIT, INVESTIGATIONS
AND COMMUNITY ENTERPRISE) ACT 2004
- 13 Chapter 2 of Part 1 of the Companies (Audit, Investigations...
 - 14 (1) Section 14 (supervision of periodic accounts and reports of...
 - 15 (1) Section 15 (application of certain company law provisions to...

SCHEDULE 16 — Repeals

Status:

Point in time view as at 01/12/2013.

Changes to legislation:

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