



Companies Act 2006

2006 CHAPTER 46

PART 7

RE-REGISTRATION AS A MEANS OF ALTERING A COMPANY'S STATUS

Private company becoming public

95 Statement of proposed secretary

- (1) The statement of the company's proposed secretary must contain the required particulars of the person who is or the persons who are to be the secretary or joint secretaries of the company.
- (2) The required particulars are the particulars that will be required to be stated in the company's register of secretaries (see sections 277 to 279).
- (3) [^{F1}The statement must also include a statement by the company that the person named as secretary, or each of the persons named as joint secretaries, has consented to act in the relevant capacity.]

If all the partners in a firm are to be joint secretaries, consent may be given by one partner on behalf of all of them.

Textual Amendments

- F1** Words in s. 95(3) substituted (10.10.2015) by [Small Business, Enterprise and Employment Act 2015](#) (c. 26), **ss. 100(3), 164(1)** (with s. 100(6)); S.I. 2015/1689, reg. 4(b)

Modifications etc. (not altering text)

- C1** Ss. 90-96 applied (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009](#) (S.I. 2009/1941), art. 12(1), **Sch. 3 para. 3** (with art. 10)
- C2** Ss. 90-96 applied (12.5.2011) by [The Companies Act 2006 \(Consequential Amendments and Transitional Provisions\) Order 2011](#) (S.I. 2011/1265), art. 5(1), **Sch. 1 para. 3**

Status:

Point in time view as at 03/10/2022. This version of this provision has been superseded.

Changes to legislation:

Companies Act 2006, Section 95 is up to date with all changes known to be in force on or before 13 September 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.