



Companies Act 1985

1985 CHAPTER 6

PART VII

ACCOUNTS AND AUDIT

CHAPTER I

PROVISIONS APPLYING TO COMPANIES GENERALLY

[^{F1} Publication of accounts and reports]

[^{F1}240 Requirements in connection with publication of accounts.

- (1) If a company publishes any of its statutory accounts, they must be accompanied by the relevant auditors' report under section 235 [^{F2}or, as the case may be, the relevant report made for the purposes of section 249A(2)].
- (2) A company which is required to prepare group accounts for a financial year shall not publish its statutory individual accounts for that year without also publishing with them its statutory group accounts.
- (3) If a company publishes non-statutory accounts, it shall publish with them a statement indicating—
 - (a) that they are not the company's statutory accounts,
 - (b) whether statutory accounts dealing with any financial year with which the non-statutory accounts purport to deal have been delivered to the registrar,
 - (c) whether the company's auditors have made a report under section 235 on the statutory accounts for any such financial year [^{F3}and, if no such report has been made, whether the company's reporting accountant has made a report for the purposes of section 249A(2) on the statutory accounts for any such financial year], and
 - (d) whether any [^{F4}auditors] report so made was qualified or contained a statement under section 237(2) or (3) (accounting records or returns inadequate,

Status: Point in time view as at 11/08/1994. This version of this provision has been superseded.

Changes to legislation: Companies Act 1985, Section 240 is up to date with all changes known to be in force on or before 19 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)

accounts not agreeing with records and returns or failure to obtain necessary information and explanations) [^{F5}or whether any report made for the purposes of section 249A(2) was qualified];

and it shall not publish with the non-statutory accounts any auditors' report under section 235 [^{F6}or any report made for the purposes of section 249A(2)].

- (4) For the purposes of this section a company shall be regarded as publishing a document if it publishes, issues or circulates it or otherwise makes it available for public inspection in a manner calculated to invite members of the public generally, or any class of members of the public, to read it.
- (5) References in this section to a company's statutory accounts are to its individual or group accounts for a financial year as required to be delivered to the registrar under section 242; and references to the publication by a company of "non-statutory accounts" are to the publication of—
- (a) any balance sheet or profit and loss account relating to, or purporting to deal with, a financial year of the company, or
 - (b) an account in any form purporting to be a balance sheet or profit and loss account for the group consisting of the company and its subsidiary undertakings relating to, or purporting to deal with, a financial year of the company,
- otherwise than as part of the company's statutory accounts.
- (6) A company which contravenes any provision of this section, and any officer of it who is in default, is guilty of an offence and liable to a fine.]

Textual Amendments

- F1** New ss. 238–240 inserted (subject to the saving and transitional provisions in S.I. 1990/355, arts. 6–9, Sch. 2, by Companies Act 1989 (c. 40, SIF 27), ss. 1, 10, 213(2) as part of the text inserted in place of ss. 221–262 (as mentioned in s. 1(a) of the 1989 Act)
- F2** Words in s. 240(1) added (11.8.1994) by S.I. 1994/1935, reg. 4, Sch. 1 Pt. I para.1(2)
- F3** Words in s. 240(3)(c) inserted (11.8.1994) by S.I. 1994/1935, reg. 4, Sch. 1 Pt. I para. 1(3)(a)
- F4** Word in s. 140(3)(d) inserted (11.8.1994) by S.I. 1994/1935, reg. 4, Sch. 1 Pt. I para. 1(3)(b)
- F5** Words in s. 140(3)(d) added (11.8.1994) by S.I. 1994/1935, reg. 4, Sch. 1 Pt. I para. 1(3)(b)
- F6** Words in s. 240(3) added (11.8.1994) by S.I. 1994/1935, reg. 4, Sch. 1 Pt. I para. 1(3)(c)

Modifications etc. (not altering text)

- C1** S. 240(5) amended by S.I. 1990/2570, reg. 8(2)(a)

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