



Companies Act 1985

1985 CHAPTER 6

PART XI

COMPANY ADMINISTRATION AND PROCEDURE

CHAPTER II

REGISTER OF MEMBERS

359 Power of court to rectify register.

- (1) If—
 - (a) the name of any person is, without sufficient cause, entered in or omitted from a company's register of members, or
 - (b) default is made or unnecessary delay takes place in entering on the register the fact of any person having ceased to be a member,the person aggrieved, or any member of the company, or the company, may apply to the court for rectification of the register.
- (2) The court may either refuse the application or may order rectification of the register and payment by the company of any damages sustained by any party aggrieved.
- (3) On such an application the court may decide any question relating to the title of a person who is a party to the application to have his name entered in or omitted from the register, whether the question arises between members or alleged members, or between members or alleged members on the one hand and the company on the other hand, and generally may decide any question necessary or expedient to be decided for rectification of the register.
- (4) In the case of a company required by this Act to send a list of its members to the registrar of companies, the court, when making an order for rectification of the register, shall by its order direct notice of the rectification to be given to the registrar.

Status: Point in time view as at 01/01/2005. This version of this provision has been superseded.

Changes to legislation: Companies Act 1985, Section 359 is up to date with all changes known to be in force on or before 05 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. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 359 restricted (26.11.2001) by S.I. 2001/3755, reg. 23(4), **Sch. 4 para. 11** (with regs. 39, 45)
- C2** S. 359 excluded (12.2.1992) by S.I. 1992/225, **reg. 73(2)**.
- C3** S. 359(1)(a) applied (with modifications) (12.2.1992) by S.I. 1992/225, **reg. 73(1)**.
- C4** S. 359(2)-(4) applied (with modifications) (12.2.1992) by S.I. 1992/225, **reg. 73(1)**.

Status:

Point in time view as at 01/01/2005. This version of this provision has been superseded.

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