



Companies (Audit, Investigations and Community Enterprise) Act 2004

CHAPTER 27

COMPANIES (AUDIT, INVESTIGATIONS AND COMMUNITY ENTERPRISE) ACT 2004

PART 1

AUDITORS, ACCOUNTS, DIRECTORS' LIABILITIES AND INVESTIGATIONS

CHAPTER 1

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- 1 Additional requirements for recognition of supervisory bodies
- 2 Arrangements to which additional requirements for recognition relate

Delegation of Secretary of State's functions in relation to auditors

- 3 Delegation of functions by Secretary of State to new or existing body
- 4 Circumstances in which Secretary of State may delegate functions to existing body
- 5 Supplementary provisions about delegation orders

Auditors' qualifications

- 6 Approval of overseas qualifications for auditors

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- 7 Disclosure of services provided by auditors and related remuneration

Status: Point in time view as at 06/04/2007.

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- 8 Auditors' rights to information
- 9 Statement in directors' report as to disclosure of information to auditors

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- 10 Persons authorised to apply to court in connection with defective accounts
- 11 Disclosure of tax information by Inland Revenue to facilitate application for declaration that accounts are defective
- 12 Power of person authorised to require documents, information and explanations

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- 14 Supervision of periodic accounts and reports of issuers of listed securities
- 15 Application of provisions inserted by sections 11 and 12 to bodies appointed under section 14

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- 16 Grants to bodies concerned with accounting standards etc.
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In the Companies Act 1985 (c. 6), after Schedule 7A...

SCHEDULE 2 — Minor and consequential amendments relating to Part 1
Part 1 — AMENDMENTS RELATING TO AUDITORS

Companies Act 1989 (c. 40)

- 1 The Companies Act 1989 has effect subject to the following...
- 2 In section 30(5), for “Parts I and II” substitute “...”
- 3 In the following provisions, for “established” substitute “designated”...

Companies (Northern Ireland) Order 1990 (S.I. 1990/593(N.I. 5))

- 4 In the Companies (Northern Ireland) Order 1990, omit Article 49...
Part 2 — AMENDMENTS RELATING TO ACCOUNTS AND REPORTS

Companies Act 1985 (c. 6)

- 5 The Companies Act 1985 has effect subject to the following...
- 6 In section 249E(2)(d) (rights to information)— (a) for “section 389A(1)...
- 7 In section 732(1) and (2)(a) (prosecution by public authorities), after...
- 8 In section 733(1) (offences by body corporate), after “216(3)” insert...
- 9 In section 734(1) (criminal proceedings against unincorporated bodies)
—
- 10 (1) Schedule 24 (punishment of offences) is amended as follows....

Companies (Northern Ireland) Order 1986 (S.I. 1986/1032 (N.I. 6))

- 11 The Companies (Northern Ireland) Order 1986 has effect subject to...
- 12 In Article 680(1) and (2)(a) (prosecution by public authorities), after...
- 13 In Article 680A(1) (offences by bodies corporate), after “224(3),”
insert...

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- 14 In Article 680B(1) (criminal proceedings against unincorporated bodies), after “Articles”...
- 15 In Schedule 23 (punishment of offences), after the entry relating...
Part 3 — AMENDMENTS RELATING TO INVESTIGATIONS

Companies Act 1985 (c. 6)

- 16 The Companies Act 1985 has effect subject to the following...
- 17 After section 447 insert— Information provided: evidence (1) A statement made by a person in compliance with...
- 18 For section 449 substitute— Provision for security of information obtained...
- 19 For section 451 substitute— Punishment for furnishing false information (1) A person commits an offence if in purported compliance...
- 20 (1) Section 451A (disclosure of certain information) is amended as...
- 21 In section 452— (a) for subsection (1) substitute—
- 22 In section 732 (prosecution by public authorities)—
- 23 In section 733 (offences by bodies corporate)—
- 24 In section 734(1) (criminal proceedings against unincorporated bodies), for “447”...
- 25 After Schedule 15B insert— SCHEDULE 15C Specified persons
Section 449...
- 26 (1) Schedule 24 (punishment of offences) is amended as follows....

Insolvency Act 1986 (c. 45)

- 27 In section 124A(1)(a) of the Insolvency Act 1986 (petition for...

Company Directors Disqualification Act 1986 (c. 46)

- 28 In section 8(1A)(b)(i) of the Company Directors Disqualification Act 1986...

Companies Act 1989 (c. 40)

- 29 In the table in section 87(4) of the Companies Act...

Criminal Justice and Police Act 2001 (c. 16)

- 30 In paragraph 17 of Schedule 2 to the Criminal Justice...

Anti-terrorism, Crime and Security Act 2001 (c. 24)

- 31 In paragraph 24 of Schedule 4 to the Anti-terrorism, Crime...

SCHEDULE 3 — Regulator of Community Interest Companies

Regulator’s terms of appointment

- 1 (1) The period for which a person is appointed as...

Remuneration and pensions

- 2 (1) The Secretary of State may pay remuneration and travelling...

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Staff

- 3 (1) The Regulator may, after consulting the Minister for the...
4 The chairman of the Charity Commission may make available to...

Delegation of functions

- 5 Anything which the Regulator is authorised or required to do...

Finance

- 6 The Secretary of State may make payments to the Regulator....

Reports and other information

- 7 (1) The Regulator must, in respect of each financial year,...

Amendments

- 8 In Schedule 2 to the Parliamentary Commissioner Act 1967 (c....
9 In Part 3 of Schedule 1 to the House of...

SCHEDULE 4 — Appeal Officer for Community Interest Companies

Appeal Officer's terms of appointment

- 1 (1) The Appeal Officer holds office for the period determined...

Remuneration and pensions

- 2 (1) The Secretary of State may pay remuneration and travelling...

Finance

- 3 The Secretary of State may make payments to the Appeal...

Procedure

- 4 (1) Regulations may make provision about the practice and procedure...

Amendments

- 5 In Schedule 2 to the Parliamentary Commissioner Act 1967 (c....
6 In Part 3 of Schedule 1 to the House of...

SCHEDULE 5 — Official Property Holder for Community Interest Companies

Status

- 1 (1) The Official Property Holder is a corporation sole.

Relationship with Regulator

- 2 The Regulator must make available to the Official Property Holder...

Effect of vacancy

- 3 The Regulator must appoint a member of the Regulator's staff...

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Property

- 4 (1) The Official Property Holder holds property vested in or...

Finance

- 5 (1) The Official Property Holder may recover his expenses in...

Reports

- 6 (1) As soon as possible after the end of each...

SCHEDULE 6 — Community interest companies: names

Companies Act 1985 (c. 6)

- 1 The Companies Act 1985 has effect subject to the following...
2 (1) Section 26 (prohibition on registration of certain names) is...
3 In section 27(4) (alternatives of statutory designations), after
paragraph (d)...
4 In section 30(7) (further exemptions for company exempt from using...
5 In section 33(1) (person who is not a public company...
6 After section 34 insert— Penalty for improper use of “community...
7 In section 43(2)(b) (re-registration of private company as public:
alteration...
8 In section 351(1)(d) (particulars in correspondence to indicate that a...
9 (1) Schedule 24 (punishment of offences) is amended as follows....

Limited Liability Partnerships Act 2000 (c. 12)

- 10 In paragraph 8(2) of the Schedule to the Limited Liability...

SCHEDULE 7 — Community interest companies: investigations

Power to require documents and information

- 1 (1) The investigator of a community interest company may require...

Privileged information

- 2 (1) Nothing in paragraph 1 requires a person to produce...

Use of information as evidence

- 3 (1) A statement made by a person in compliance with...

Failure to comply with requirement

- 4 (1) This paragraph applies if a person fails to comply...

False information

- 5 (1) A person commits an offence if in purported compliance...

SCHEDULE 8 — Repeals and revocations

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