



# 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

#### AUDITORS

##### *Recognised supervisory bodies*

- 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

##### *Services provided by auditors*

- 7 Disclosure of services provided by auditors and related remuneration

*Status: Point in time view as at 07/02/2023.*

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

#### *Defective accounts*

- 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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- 13 Power to specify bodies who may issue reporting standards

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- 14 Supervision of periodic accounts and reports of issuers of listed securities
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### **SCHEDULE 1 — New Schedule 7B to the Companies Act 1985**

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

*Companies Act 1989 (c. 40)*

- 1 .....
- 2 .....
- 3 .....

*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 .....
- 12 .....
- 13 .....
- 14 .....
- 15 .....

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....

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*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...

*Staff*

3 (1) The Regulator may, after consulting the Minister for the...

4 The person appointed to chair the Charity Commission may make...

*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...

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### *Remuneration and pensions*

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

### *Finance*

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

### *Procedure*

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

### *Amendments*

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

## SCHEDULE 5 — Official Property Holder for Community Interest Companies

### *Status*

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

### *Relationship with Regulator*

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

### *Effect of vacancy*

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

### *Property*

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

### *Finance*

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

### *Reports*

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

## SCHEDULE 6 — Community interest companies: names

### *Companies Act 1985 (c. 6)*

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

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*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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