



# Companies Act 2006

## 2006 CHAPTER 46

### PART 29

#### FRAUDULENT TRADING

##### Modifications etc. (not altering text)

- C1** Pts. 1-39 (except for Pt. 7 and ss. 662-669), 45-47 extended (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. 2](#)

#### **993 Offence of fraudulent trading**

- (1) If any business of a company is carried on with intent to defraud creditors of the company or creditors of any other person, or for any fraudulent purpose, every person who is knowingly a party to the carrying on of the business in that manner commits an offence.
- (2) This applies whether or not the company has been, or is in the course of being, wound up.
- (3) A person guilty of an offence under this section is liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding ten years or a fine (or both);
  - (b) on summary conviction—
    - (i) in England and Wales, to imprisonment for a term not exceeding twelve months or a fine not exceeding the statutory maximum (or both);
    - (ii) in Scotland or Northern Ireland, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum (or both).

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*Status: Point in time view as at 01/08/2011.*

*Changes to legislation: Companies Act 2006, Part 29 is up to date with all changes known to be in force on or before 05 August 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)*

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**Modifications etc. (not altering text)**

- C2** S. 993 applied (with modifications) (1.10.2009) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) Regulations 2009](#) (S.I. 2009/1804), regs. 2, **47**
- C3** S. 993 applied (with modifications) (1.10.2009) by [The Unregistered Companies Regulations 2009](#) (S.I. 2009/2436), regs. 3-5, **Sch. 1 para. 15** (with transitional provisions and savings in regs. 7, 9, Sch. 2)
- C4** S. 993 applied (with modifications) (E.W.) (2.1.2013) by [The Charitable Incorporated Organisations \(General\) Regulations 2012](#) (S.I. 2012/3012), regs. 1, **60(1)(3)**

**Status:**

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