



Companies Act 2006

2006 CHAPTER 46

PART 31

DISSOLUTION AND RESTORATION TO THE REGISTER

CHAPTER 3

RESTORATION TO THE REGISTER

Restoration to the register by the court

1032 Effect of court order for restoration to the register

- (1) The general effect of an order by the court for restoration to the register is that the company is deemed to have continued in existence as if it had not been dissolved or struck off the register.
- (2) The company is not liable to a penalty under section 453 or any corresponding earlier provision (civil penalty for failure to deliver accounts) for a financial year in relation to which the period for filing accounts and reports ended—
 - (a) after the date of dissolution or striking off, and
 - (b) before the restoration of the company to the register.
- (3) The court may give such directions and make such provision as seems just for placing the company and all other persons in the same position (as nearly as may be) as if the company had not been dissolved or struck off the register.
- (4) The court may also give directions as to—
 - (a) the delivery to the registrar of such documents relating to the company as are necessary to bring up to date the records kept by the registrar,
 - (b) the payment of the costs (in Scotland, expenses) of the registrar in connection with the proceedings for the restoration of the company to the register,

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Changes to legislation: There are currently no known outstanding effects for the Companies Act 2006, Section 1032. (See end of Document for details)

- (c) where any property or right previously vested in or held on trust for the company has vested as *bona vacantia*, the payment of the costs (in Scotland, expenses) of the Crown representative—
 - (i) in dealing with the property during the period of dissolution, or
 - (ii) in connection with the proceedings on the application.
- (5) In this section the “Crown representative” means—
 - (a) in relation to property vested in the Duchy of Lancaster, the Solicitor to that Duchy;
 - (b) in relation to property vested in the Duke of Cornwall, the Solicitor to the Duchy of Cornwall;
 - (c) in relation to property in Scotland, the Queen's and Lord Treasurer's Remembrancer;
 - (d) in relation to other property, the Treasury Solicitor.

Modifications etc. (not altering text)

- C1** Ss. 1029-1032 applied (with modifications) (1.10.2009) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) Regulations 2009 \(S.I. 2009/1804\)](#), regs. 2, 57 (with Sch. 1 paras. 24, 25, 34, 35)

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