



# Companies Act 2006

## 2006 CHAPTER 46

### PART 35

#### THE REGISTRAR OF COMPANIES

##### *Correction or removal of material on the register*

##### **[<sup>F1</sup>1097B] Rectification of register: service addresses**

- (1) The Secretary of State may by regulations make provision authorising or requiring the registrar to change a registered service address of a relevant person if satisfied that the address does not meet the requirements of section 1141(1) and (2).
- (2) In this section—
  - “registered service address”, in relation to a relevant person, means the address for the time being shown in the register as the person’s current service address;
  - “relevant person” means—
    - (a) a director of a company that is not an overseas company,
    - (b) a secretary or one of the joint secretaries of a company that is not an overseas company, or
    - (c) a registrable person or registrable relevant legal entity in relation to a company (within the meanings given by section 790C).
- (3) The regulations may authorise or require the address to be changed on the registrar’s own motion or on an application by another person.
- (4) The regulations must provide for the change in the address to be effected by the registrar proceeding as if the company had given notice under section 167H, 279H or 790LD of the change.
- (5) The regulations may make provision as to—
  - (a) who may make an application,
  - (b) the information to be included in and documents to accompany an application,

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*Changes to legislation:* Companies Act 2006, Section 1097B is up to date with all changes known to be in force on or before 16 July 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) View outstanding changes

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- (c) the registrar requiring the company or an applicant to provide information for the purposes of determining anything under the regulations,
  - (d) the notice to be given of an application or that the registrar is considering the exercise of powers under the regulations,
  - (e) the notice to be given of any decision under the regulations,
  - (f) the period in which objections to an application may be made,
  - (g) how the registrar is to determine whether a registered service address meets the requirements of section 1141(1) and (2), including in particular the evidence, or descriptions of evidence, which the registrar may without further enquiry rely on to be satisfied that the address meets those requirements,
  - (h) the referral by the registrar of any question for determination by the court,
  - (i) the registrar requiring the company to provide an address to be registered as the relevant person's service address,
  - (j) the nomination by the registrar of an address (a "default address") to be registered as the relevant person's service address (which need not meet the requirements of section 1141(1) and (2)),
  - (k) the period for which the default address is permitted to be the relevant person's registered service address, and
  - (l) when the change of address takes effect and the consequences of registration of the change (including provision similar or corresponding to section 1140(5)).
- (6) The provision made by virtue of subsection (5)(k) may in particular include provision creating summary offences punishable with a fine not exceeding level 3 on the standard scale and, for continued contravention, a daily default fine not exceeding one-tenth of level 3 on the standard scale.
- (7) The regulations must confer a right on the company to appeal to the court against any decision to change the relevant person's registered service address under the regulations.
- (8) If the regulations enable a person to apply for a registered service address to be changed, they must also confer a right on the applicant to appeal to the court against a refusal of the application.
- (9) On an appeal, the court must direct the registrar to register such address as the relevant person's registered service address as the court considers appropriate in all the circumstances of the case.
- (10) The regulations may make further provision about an appeal and in particular—
- (a) provision about the time within which an appeal must be brought and the grounds on which an appeal may be brought;
  - (b) further provision about directions by virtue of subsection (9).
- (11) The regulations may include such provision applying (including applying with modifications), amending or repealing an enactment contained in this Act as the Secretary of State considers necessary or expedient in consequence of any provision made by the regulations.
- (12) Regulations under this section may in particular confer a discretion on the registrar.
- (13) Regulations under this section are subject to affirmative resolution procedure.]

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### Textual Amendments

- F1** S. 1097B inserted (26.10.2023 for specified purposes, 4.3.2024 in so far as not already in force) by Economic Crime and Corporate Transparency Act 2023 (c. 56), **ss. 106(2)**, 219(1)(2)(b); S.I. 2024/269, reg. 2(z43)

### Modifications etc. (not altering text)

- C1** S. 1097B applied (with modifications) (4.3.2024) by S.I. 2009/1804, **reg. 67** (as amended by The Limited Liability Partnerships (Application of Company Law) Regulations 2024 (S.I. 2024/234), regs. 1(2), **40**; S.I. 2024/269, **reg. 2(a)**)
- C2** Ss. 1093-1098 applied (with modifications) (1.10.2009) by The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 (S.I. 2009/1804), regs. 2, **67** (with reg. 60, Sch. 1 paras. 30, 31, 34, 35) (as amended: (6.4.2013) by S.I. 2013/618, reg. 5 (with **reg. 8(4)**); (E.W.) (12.3.2015) by The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Fines on Summary Conviction) Regulations 2015 (S.I. 2015/664), reg. 1(1), **Sch. 3 para. 14(6)** (with reg. 5(1)); (6.4.2016) by The Companies (Address of Registered Office) Regulations 2016 (S.I. 2016/423), regs. 1(1), **21**; and (4.3.2024) by The Registrar (Annotation, Removal and Disclosure Restrictions) Regulations 2024 (S.I. 2024/54), regs. 1(2)(a), **16**; The Limited Liability Partnerships (Application of Company Law) Regulations 2024 (S.I. 2024/234), regs. 1(2), **37**; S.I. 2024/269, **reg. 2(a)**)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act amendment to earlier affecting provision S.I. 2008/373 reg. 11(1) by [S.I. 2013/1971 reg. 9\(a\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked (1.10.2013) without ever being in force by S.I. 2013/2224, reg. 2)
- Act amendment to earlier affecting provision S.I. 2008/373 reg. 3(4) by [S.I. 2013/1971 reg. 4](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked (1.10.2013) without ever being in force by S.I. 2013/2224, reg. 2)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 479A(2)(c)(zi) inserted by [S.I. 2019/177 reg. 4\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4 substituted by regs. 4, 4A immediately before IP completion day by S.I. 2019/1392, regs. 1(2), 4)
- Sch. 2 Pt. 2 Section (A) para. 25(m) inserted by [2024 c. 13 Sch. 30 para. 30](#)
- Sch. 2 Pt. 2 Section (A) para. 25(j) omitted by [2024 c. 13 Sch. 21 para. 10](#)
- Sch. 2 Pt. 2 Section (A) para. 28 words substituted by [2024 c. 13 Sch. 18 para. 9\(2\)\(a\)\(i\)](#)
- Sch. 2 Pt. 2 Section (A) para. 29 words substituted by [2024 c. 13 Sch. 18 para. 9\(2\)\(a\)\(ii\)](#)
- Sch. 2 Pt. 2 Section (A) para. 36 words substituted by [2024 c. 13 Sch. 18 para. 9\(2\)\(b\)](#)
- Sch. 10 para. 6(2D) inserted by [S.I. 2019/177 reg. 28\(e\)](#) (This amendment not applied to legislation.gov.uk. Reg. 28(e) omitted immediately before IP completion day by virtue of S.I. 2020/523, regs. 1(2), 14(e)(iv))
- Sch. 10 para. 7(2A) inserted by [S.I. 2019/177 reg. 29\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 29 substituted immediately before IP completion day by S.I. 2020/523, regs. 1(2), 14(f))