



# Companies Act 2006

## 2006 CHAPTER 46

### PART 42

#### STATUTORY AUDITORS

### CHAPTER 6

#### SUPPLEMENTARY AND GENERAL

#### *[<sup>F1</sup>Transfer of papers to third countries*

#### <sup>F1</sup>[ <sup>F2</sup>1253DB] **Transfer by statutory auditor with approval of Secretary of State**

- (1) A statutory auditor may transfer [<sup>F3</sup>audit working papers and investigation reports] to an approved third country competent authority if the transfer is made—
  - (a) with the prior approval of the Secretary of State, and
  - (b) in accordance with rules of a recognised supervisory body meeting the requirements of paragraph 16AA of Schedule 10.
- (2) The Secretary of State must not approve a transfer of [<sup>F3</sup>audit working papers and investigation reports] to an approved third country competent authority for the purposes of this section unless the following conditions are met (see also section 1253DD).
- (3) The first condition is that the authority has made a request to the Secretary of State for the transfer of the [<sup>F3</sup>audit working papers and investigation reports].
- (4) The second condition is that the [<sup>F3</sup>audit working papers and investigation reports] relate to audits of companies that—
  - (a) have issued securities in the third country in which the authority is established, or
  - (b) form part of a group issuing statutory consolidated accounts in that third country.

---

*Status: Point in time view as at 17/06/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Companies Act 2006, Section 1253DB. (See end of Document for details)*

---

- (5) The third condition is that the authority has entered into arrangements with the Secretary of State in accordance with section 1253E.]]

**Textual Amendments**

- F1** Ss. 1253D-1253F and cross-heading inserted (6.4.2008) by [The Statutory Auditors and Third Country Auditors Regulations 2007 \(S.I. 2007/3494\)](#), **reg. 15(1)** (with [reg. 15\(2\)](#) (as amended by [S.I. 2008/499](#)), [reg. 2\(4\)](#)))
- F2** Ss. 1253D-1253DE substituted for s. 1253D (15.11.2010) by [The Companies Act 2006 \(Transfer of Audit Working Papers to Third Countries\) Regulations 2010 \(S.I. 2010/2537\)](#), [regs. 1\(2\), 2](#)
- F3** Words in s. 1253DB substituted (17.6.2016) by [The Statutory Auditors and Third Country Auditors Regulations 2016 \(S.I. 2016/649\)](#), [reg. 1\(1\)\(a\)](#), **Sch. 3 para. 45(2)** (with [reg. 1\(2\)\(b\)](#))

**Status:**

Point in time view as at 17/06/2016.

**Changes to legislation:**

There are currently no known outstanding effects for the Companies Act 2006, Section 1253DB.