



# Economic Crime and Corporate Transparency Act 2023

## 2023 CHAPTER 56

### PART 1

#### COMPANIES ETC

##### *Registered email addresses*

#### **29 Registered email addresses etc**

- (1) The Companies Act 2006 is amended as follows.
- (2) In section 9 (registration documents), in subsection (5), after paragraph (a) insert—
  - “(aa) a statement of the intended registered email address of the company, which must be an appropriate email address within the meaning given by section [88A\(2\)](#).”
- (3) In section 16 (effect of registration), in subsection (4), after “status” insert “, registered email address”.
- (4) In the heading to Part 6 (a company’s registered office), after “registered office” insert “and email address”.
- (5) After section 88 insert—

##### *“Registered email address*

#### **88A Duty to maintain a registered email address**

- (1) A company must ensure that its registered email address is at all times an appropriate email address.

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- (2) An email address is an “appropriate email address” if, in the ordinary course of events, emails sent to it by the registrar would be expected to come to the attention of a person acting on behalf of the company.
- (3) If a company fails, without reasonable excuse, to comply with this section an offence is committed by—
  - (a) the company, and
  - (b) every officer of the company who is in default.
- (4) A person guilty of an offence under this section is liable on summary conviction—
  - (a) in England and Wales, to a fine;
  - (b) in Scotland or Northern Ireland, to a fine not exceeding level 5 on the standard scale and, for continued contravention, a daily default fine not exceeding one-tenth of level 5 on the standard scale.

### **88B Change of registered email address**

- (1) A company may change its registered email address by giving notice to the registrar.
- (2) The notice must include a statement that the new address is an appropriate email address within the meaning given by section 88A(2).
- (3) The change takes effect upon the notice being registered by the registrar.”
- (6) After section 853CA (inserted by section 28 of this Act) insert—

#### **“853CB Duty to notify a change in registered email address**

- (1) This section applies where—
  - (a) a company makes a confirmation statement,
  - (b) the company’s registered email address is not an appropriate email address within the meaning given by section 88A(2), and
  - (c) the company has not given a notice under section 88B (change of registered email address) that is awaiting registration by the registrar.
- (2) The company must deliver a notice under section 88B at the same time as it delivers the confirmation statement.”
- (7) In section 1087 (material not available for public inspection), in subsection (1), before paragraph (a) insert—
  - “(za) an email address delivered to the registrar under—
    - (i) section 9(5)(aa) or 88B (initial registered email address and change of address);
    - (ii) section 30 of the Economic Crime and Corporate Transparency Act 2023 (company’s registered email address: transitional provision);”.
- (8) In section 1115 (supplementary provisions relating to electronic communications), omit subsection (1).
- (9) In Schedule 4 (documents and information sent or supplied to a company)—

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- (a) after Part 2 insert—

## “PART 2A

### COMMUNICATIONS IN ELECTRONIC FORM FROM THE REGISTRAR OR THE SECRETARY OF STATE

- 4A (1) A document or information is validly sent or supplied to a company by the registrar or the Secretary of State if it is sent or supplied in electronic form in accordance with sub-paragraph (2) or (3).
- (2) Where the document or information is sent or supplied by electronic means it may only be sent—
- (a) in the case of a company registered under this Act, to the company’s registered email address;
  - (b) in the case of any company, to an address specified by the company for that purpose (generally or specifically).
- (3) Where the document or information is sent or supplied in electronic form by hand or by post, it must be sent or supplied to an address to which it could be validly sent if it were in hard copy form.”;
- (b) in the heading of Part 3, at the end insert “in other cases”;
- (c) in paragraph 5, after “company” insert “by a person other than the registrar or the Secretary of State”.

## 30 Registered email addresses: transitional provision

- (1) This section applies in relation to a company registered under the Companies Act 2006 in pursuance of an application for registration delivered to the registrar before section 29(2) comes fully into force.
- (2) On the first occasion on which the company delivers a confirmation statement with a confirmation date that is after the day on which section 29(2) comes fully into force—
- (a) it must, at the same time, deliver to the registrar a statement specifying its registered email address for the purposes of section 88A of that Act (inserted by section 29 of this Act);
  - (b) section 853CB of that Act (inserted by section 29 of this Act) does not apply.
- (3) Section 853A(1)(b)(ii) of the Companies Act 2006 (as substituted by section 59 of this Act) has effect as if it included a reference to the duty imposed by subsection (2) (and section 853L of that Act applies accordingly).
- (4) Section 88A of the Companies Act 2006 (inserted by section 29 of this Act) does not apply in relation to the company until it has delivered the confirmation statement mentioned in subsection (2) or, if it does not deliver the statement on time, the latest time by which it was required to do so.
- (5) In this section—
- “confirmation statement” has the meaning given by section 853A of the Companies Act 2006;

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“the registrar” has the meaning given by section 1060(3) of the Companies Act 2006.