
STATUTORY INSTRUMENTS

2009 No. 2437

**The Companies (Companies Authorised
to Register) Regulations 2009**

PART 2

REGISTRATION REQUIREMENTS

Registration as a public company

Registration as a public company

- 9.—(1) A joint stock company may be registered as a public company limited by shares if—
- (a) the following conditions are met, and
 - (b) the application for registration is accompanied by the documents specified in paragraph (4) below.
- (2) The conditions are—
- (a) that the requirements of section 91 of the Companies Act 2006 are met as regards its share capital;
 - (b) the requirements of section 92 of that Act are met as regards its net assets; and
 - (c) if section 93 of that Act applies (recent allotment of shares for non-cash consideration), that the requirements of that section are met.
- (3) Sections 91 to 93 apply for this purpose as in the case of a private company applying to be re-registered under section 90 of the Companies Act 2006 (re-registration of private company as public), but as if any reference to the special resolution required by section 90 were to the joint stock company's resolution that it be a public company.
- (4) The following documents must be delivered to the registrar together with the application for registration (as well as those required by regulation 4)—
- (a) a copy of the resolution that the company be a public company;
 - (b) a copy of the balance sheet and other documents referred to in section 92(1); and
 - (c) if section 93 applies (recent allotment of shares for non-cash consideration), a copy of the valuation report (if any) under subsection (2)(a) of that section.
- (5) The statement of compliance required to be delivered with the application is a statement that the requirements of this Part as to registration as a public company have been complied with.
- (6) The registrar may accept the statement of compliance as sufficient evidence that the company is entitled to be registered as a public company.