

**2009 No. 2798**

**COMPANIES**

**AUDITORS**

**The Statutory Auditors and Third Country Auditors  
(Amendment) Regulations 2009**

<i>Made</i> - - - -	<i>20th October 2009</i>
<i>Laid before Parliament</i>	<i>20th October 2009</i>
<i>Coming into force</i> - -	<i>21st October 2009</i>

The Secretary of State is a Minister designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to auditors and the audit of accounts.

In exercise of the powers conferred by section 2(2) of the European Communities Act 1972 the Secretary of State makes the following Regulations.

**Citation and commencement**

**1.**—(1) These Regulations may be cited as the Statutory Auditors and Third Country Auditors (Amendment) Regulations 2009.

(2) These Regulations come into force on 21st October 2009.

**Transfer of audit working papers to third countries: revocation of transitional provision**

**2.** Regulation 15(2) of the Statutory Auditors and Third Country Auditors Regulations 2007<sup>(c)</sup> (transitional provision relating to working papers for audits conducted by auditors appointed for financial years beginning before 6th April 2008) is revoked.

20th October 2009

*Ian Lucas*  
Minister for Business and Regulatory Reform,  
Department for Business, Innovation and Skills

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<sup>(a)</sup> S.I. 2007/1679.

<sup>(b)</sup> 1972 c.68.

<sup>(c)</sup> S.I. 2007/3494, amended by S.I.s 2008/499 and 2008/2639. Regulation 15(2) was substituted by regulation 2(4) of S.I. 2008/499.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

The Statutory Auditors and Third Country Auditors Regulations 2007 (S.I. 2007/3494) (“the Principal Regulations”) implement in part Directive 2006/43/EC of the European Parliament and of the Council on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC.

Regulation 15 of the Principal Regulations inserted new sections 1253D and 1253E into the Companies Act 2006 (c.46). Section 1253D imposes a restriction on audit working papers being transferred to regulatory bodies outside of the EEA. Section 1253E imposes requirements in relation to working arrangements entered into by the regulatory bodies for the audit profession for the transfer of papers to regulatory bodies outside of the EEA. These Regulations revoke a transitional provision relating to sections 1253D and 1253E (regulation 15(2) of the Principal Regulations as amended by regulation 2(4) of the Statutory Auditors and Third Country Auditors (Amendment) Regulations 2008 (S.I. 2008/499)).

An Impact Assessment in respect of the Principal Regulations has been produced and is available at [http://www.opsi.gov.uk/si/si2007/em/uksiem\\_20073494\\_en.pdf](http://www.opsi.gov.uk/si/si2007/em/uksiem_20073494_en.pdf). Copies are also available from the Company Law and Governance Directorate, Department for Business, Innovation and Skills, 1 Victoria Street, London, SW1H 0ET. No Impact Assessment has been produced in respect of these amending Regulations because it is not expected that the amendment will cause any additional costs.

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