

## "Final" Companies Act reforms now in force

1st October 2009 saw the implementation of the final changes in the Companies Act 2006. Whilst this Act was brought on to the statute book on 8th November 2006 it has over 1000 sections and so it has been implemented in stages. Many features of company law have their origins more than a hundred years ago and are not necessarily suitable now for regulating companies.

The final changes now in force amongst other things deal with the following:

- New company formation: From the 1st October the documentation required is very different; the historic memorandum setting the objects or purpose of the company is an abbreviated document and there are new model articles or constitution depending upon the type of company.
- Existing companies formed before October 2009 will have constitutions that are based on the former law. The articles containing the constitution that have matters that are not required now may be regarded as out of date and could be changed provided the appropriate procedure (special resolution requiring the requisite majority) is passed.
- All forms used by Companies House have been updated so if you are in the habit of filling forms, for example on change of directors or situation of registered office you will need to do this on the new form. Details can be obtained from Companies House website: [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk).
- Directors of existing and new companies now have the ability to prescribe a "service address" rather than their usual residential address. Home addresses will not be put on the record after 30th September although Companies House will still hold a database of these which can be disclosed in limited circumstances. If no action is taken the residential address will automatically become the service address until the information is provided in the next annual return. If you want to take advantage of this and protect your self from unwanted access to your home address then changes can be notified on Companies House form CH02.

## Carter Bells

Carter Bells LLP Solicitors, Kings' Stone House, 12 High Street  
Kingston Upon Thames, Surrey, KT1 1HD  
Tel: 020 8939 4000 Fax: 020 8541 3347 DX: 31 505 Kingston  
[www.carterbells.co.uk](http://www.carterbells.co.uk)