

Companies Act 2006 - 6th April 2008 implementation

The next stage of implementation for the Companies Act 2006 is 6th April 2008 and the significant developments will be:

1. Private company secretaries

From 6th April 2008, private companies can choose whether they wish to have a company secretary or not. Those existing private companies that already have secretaries will have the choice whether they wish to maintain them and if they decide otherwise, a Form 288b must be filed with Companies House. In addition, if there are any specific references to the company secretary in the company's Articles of Association, amended Articles must be filed together with a written or special resolution approving those amendments. It will now therefore be possible for private companies to have a sole director and no secretary.

2. Accounts changes

The delivery time for accounts has been reduced by one month (for both private and public limited companies). This time is now 9 months for private companies and 6 months for public limited companies. For further reference, these changes are referred to in Section 442 of the Companies Act 2006 and will apply to all accounting periods that begin on or after 6th April 2008.

3. Auditors

In connection with the above, for accounting periods that begin on or after 6th April 2008, an auditor's report will have to state, in the case of an individual, the name of the auditor and be signed by him. In the case of a firm it must state the name of the senior statutory auditor and must also state the name of the firm and be signed in his own name.

For further information on Stage 6 of the implementation timetable please visit:

<http://www.companieshouse.gov.uk>

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