
DRAFT STATUTORY INSTRUMENTS

2009 No.

**The Registrar of Companies and Applications
for Striking Off Regulations 2009**

Rectification of the register on application

4.—(1) On application under this regulation (but not if there is a valid objection to the application) the registrar must remove from the register any relevant material that—

- (a) derives from anything invalid or ineffective or that was done without the authority of the company or overseas company to which the material relates, or
- (b) is factually inaccurate, or is derived from something that is factually inaccurate or forged.

(2) “Relevant material” means material on the register that was included in, or is derived from material that was included in, a relevant company form or a relevant overseas company form delivered to the registrar by any person.

(3) A “relevant company form” is—

- (a) a standard form required for giving notice under section 87 (change of address of registered office), section 167 (changes relating to directors) or section 276 (changes relating to secretaries) of the Companies Act 2006; or
- (b) so much of a standard form required for delivering an application under section 9 of that Act (application for registration of a company) as is required for the statement of a company’s proposed officers referred to in section 9(4)(c).

(4) A “relevant overseas company form” is—

- (a) so much of a standard form required for delivering a return under regulation 4 of the Overseas Companies Regulations 2009⁽¹⁾ as is required for—
 - (i) the list referred to in regulation 6(1)(d) of those Regulations (list of directors and secretary of an overseas company);
 - (ii) the names and service addresses referred to in regulation 7(1)(e) of those Regulations (names and service addresses of persons authorised to accept service of documents on behalf of an overseas company in respect of a UK establishment); or
 - (iii) the list referred to in regulation 7(1)(f) of those Regulations (list of permanent representatives of an overseas company in respect of a UK establishment); or
- (b) so much of a standard form required for delivering a return under regulation 13 of those Regulations as is required for details of the alteration of particulars delivered under—
 - (i) regulation 6(1)(d) of those Regulations (directors and secretary);
 - (ii) regulation 7(1)(a) of those Regulations (address of UK establishment);
 - (iii) regulation 7(1)(e) of those Regulations (names and service addresses of persons authorised to accept service); or
 - (iv) regulation 7(1)(f) of those Regulations (list of permanent representatives).

(1) S.I. 2009/[XXXX].

(5) An application to the registrar for the removal from the register (on the grounds in paragraph (1)) of material that was included in a standard form required for giving notice under section 87 of the Companies Act 2006 (change of address of registered office), or of material that is derived from material that was included in such a form, may be made by (and only by) the company to which the material relates.

(6) An application to the registrar for the removal from the register (on the grounds in paragraph (1)) of material that was included in, or is derived from material that was included in, so much of a standard form required for delivering a return under regulation 13 of the Overseas Companies Regulations 2009 as is required for details of the alteration of particulars delivered under regulation 7(1)(a) of those Regulations (address of UK establishment) may be made by (and only by) the overseas company to which the material relates.

(7) An application to the registrar for the removal from the register on the grounds in paragraph (1) of relevant material other than material referred to in paragraph (5) or (6) may be made by (and only by)—

- (a) the person by whom the relevant company form or relevant overseas company form (as the case may be) was delivered to the registrar;
- (b) the company or overseas company to which the material relates; or
- (c) any other person to whom the material relates.

(8) A “valid objection” is—

- (a) an objection made in accordance with regulation 5(10) and (11) by a person to whom notice of the application was given under regulation 5(2), (3), (4) or (5), or
- (b) an objection made in accordance with regulation 5(10) by any other person which is not an objection that the registrar is prevented from taking into account under regulation 5(12).

(9) In this regulation “required” means required by rules made by the registrar under section 1117 of the Companies Act 2006.