



Companies Act 1985

1985 CHAPTER 6

PART VII

ACCOUNTS AND AUDIT

CHAPTER I

PROVISIONS APPLYING TO COMPANIES GENERALLY

Revision of defective accounts and reports

[^{F1}245A Secretary of State's notice in respect of annual accounts.

[^{F2}(1) Where—

- (a) copies of a company's annual accounts [^{F3}or directors' report] have been sent out under section 238, or
- (b) a copy of a company's annual accounts [^{F3}or directors' report] has been laid before the company in general meeting or delivered to the registrar,

and it appears to the Secretary of State that there is, or may be, a question whether the accounts [^{F4}or report] comply with the requirements of this Act, he may give notice to the directors of the company indicating the respects in which it appears to him that such a question arises or may arise.]

- (2) The notice shall specify a period of not less than one month for the directors to give him an explanation of the accounts [^{F5}[^{F6}or report] or prepare revised accounts or [^{F7}a revised report]].
- (3) If at the end of the specified period, or such longer period as he may allow, it appears to the Secretary of State that [^{F8} the directors have not—
 - (a) given a satisfactory explanation of the accounts [^{F9}or report] , or
 - (b) revised the accounts [^{F9}or report] so as to comply with the requirements of this Act,

Status: Point in time view as at 12/01/2006. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Companies Act 1985, Section 245A. (See end of Document for details)

he may if he thinks fit apply to the court.]

[^{F10}(4) The provisions of this section apply equally to revised annual accounts [^{F11}and revised directors' reports] , in which case they have effect as if the references to revised accounts [^{F12}or reports] were references to further revised accounts [^{F12}or reports] .]]

Textual Amendments

- F1** New ss. 245–245C inserted (subject to the saving and transitional provisions in S.I. 1990/2569, **art. 6**) by Companies Act 1989 (c. 40, SIF 27), **ss. 1, 12, 213(2)** as part of the text inserted in place of ss. 221–262 (as mentioned in s. 1(a) of the 1989 Act)
- F2** S. 245A(1) substituted (22.3.2005) by The Companies Act 1985 (Operating and Financial Review and Directors' Report etc.) Regulations 2005 (S.I. 2005/1011), **reg. 15(2)**
- F3** Words in s. 245A(1)(a)(b) substituted (12.1.2006) by The Companies Act 1985 (Operating and Financial Review) (Repeal) Regulations 2005 (S.I. 2005/3442), reg. 2(2)(a), **Sch. 1 para. 10(2)(a)**
- F4** Words in s. 245A(1) substituted (12.1.2006) by The Companies Act 1985 (Operating and Financial Review) (Repeal) Regulations 2005 (S.I. 2005/3442), reg. 2(2)(a), **Sch. 1 para. 10(2)(b)**
- F5** Words in s. 245A(2) substituted (22.3.2005) by The Companies Act 1985 (Operating and Financial Review and Directors' Report etc.) Regulations 2005 (S.I. 2005/1011), **reg. 15(3)**
- F6** Words in s. 245A(2) substituted (12.1.2006) by The Companies Act 1985 (Operating and Financial Review) (Repeal) Regulations 2005 (S.I. 2005/3442), reg. 2(2)(a), **Sch. 1 para. 10(3)(a)**
- F7** Words in s. 245A(2) substituted (12.1.2006) by The Companies Act 1985 (Operating and Financial Review) (Repeal) Regulations 2005 (S.I. 2005/3442), reg. 2(2)(a), **Sch. 1 para. 10(3)(b)**
- F8** Words in s. 245A(3) substituted (22.3.2005) by The Companies Act 1985 (Operating and Financial Review and Directors' Report etc.) Regulations 2005 (S.I. 2005/1011), **reg. 15(4)**
- F9** S. 245A(3) substituted (12.1.2006) by The Companies Act 1985 (Operating and Financial Review) (Repeal) Regulations 2005 (S.I. 2005/3442), reg. 2(2)(a), **Sch. 1 para. 10(4)**
- F10** S. 245A(4) substituted (22.3.2005) by The Companies Act 1985 (Operating and Financial Review and Directors' Report etc.) Regulations 2005 (S.I. 2005/1011), **reg. 15(5)**
- F11** Words in s. 245A(4) substituted (12.1.2006) by The Companies Act 1985 (Operating and Financial Review) (Repeal) Regulations 2005 (S.I. 2005/3442), reg. 2(2)(a), **Sch. 1 para. 10(5)(a)**
- F12** Words in s. 245A(4) substituted (12.1.2006) by The Companies Act 1985 (Operating and Financial Review) (Repeal) Regulations 2005 (S.I. 2005/3442), reg.2(2)(a), **Sch. 1 para. 10(5)(b)**

Modifications etc. (not altering text)

- C1** Ss. 245A and 245B excluded by S.I. 1990/2569, **art. 6(2)**
- C2** Ss. 245-245C applied (1.10.2005) by The Companies (Disclosure of Auditor Remuneration) Regulations 2005 (S.I. 2005/2417), **reg. 7**

Status:

Point in time view as at 12/01/2006. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Companies Act 1985, Section 245A.