



Companies Act 1985

1985 CHAPTER 6

PART XIV

INVESTIGATION OF COMPANIES AND THEIR AFFAIRS; REQUISITION OF DOCUMENTS

Requisition and seizure of books and papers

[^{F1}451A Disclosure of information by Secretary of State or inspector.

[^{F2}(1) This section applies to information obtained—

- (a) under sections 434 to [^{F3}446E] ;
- (b) by an inspector in consequence of the exercise of his powers under section 453A.]

(2) The Secretary of State may, if he thinks fit—

- (a) disclose any information to which this section applies to any person to whom, or for any purpose for which, disclosure is permitted under section 449, or
- (b) authorise or require an inspector appointed under this Part to disclose such information to any such person or for any such purpose.

[Information to which this section applies may also be disclosed by an inspector
^{F4}(3) appointed under this Part to—

- (a) another inspector appointed under this Part;
- (b) a person appointed under—
 - (i) section 167 of the Financial Services and Markets Act 2000 (general investigations),
 - (ii) section 168 of that Act (investigations in particular cases),
 - (iii) section 169(1)(b) of that Act (investigation in support of overseas regulator),
 - (iv) section 284 of that Act (investigations into affairs of certain collective investment schemes), or

Changes to legislation: There are currently no known outstanding effects for the Companies Act 1985, Section 451A. (See end of Document for details)

- (v) regulations made as a result of section 262(2)(k) of that Act (investigations into open-ended investment companies),
to conduct an investigation; or
- (c) a person authorised to exercise powers under—
- (i) section 447 of this Act; or
 - (ii) section 84 of the Companies Act 1989 (exercise of powers to assist overseas regulatory authority).]
- (4) Any information which may by virtue of subsection (3) be disclosed to any person may be disclosed to any officer or servant of that person.
- (5) The Secretary of State may, if he thinks fit, disclose any information obtained under section 444 to—
- (a) the company whose ownership was the subject of the investigation,
 - (b) any member of the company,
 - (c) any person whose conduct was investigated in the course of the investigation,
 - (d) the auditors of the company, or
 - (e) any person whose financial interests appear to the Secretary of State to be affected by matters covered by the investigation.]
- [^{F5}(6) For the purposes of this section, information obtained by an inspector in consequence of the exercise of his powers under section 453A includes information obtained by a person accompanying the inspector in pursuance of subsection (4) of that section in consequence of that person's accompanying the inspector.
- (7) The reference to an inspector in subsection (2)(b) above includes a reference to a person accompanying an inspector in pursuance of section 453A(4).]

Textual Amendments

- F1** S. 451A inserted by [Financial Services Act 1986 \(c. 60, SIF 69\)](#), s. 182, **Sch. 13 para. 10** and substituted by [Companies Act 1989 \(c. 40, SIF 27\)](#), **ss. 68, 213(2)** Supplementary
- F2** S. 451A(1) substituted (6.4.2005) by [Companies \(Audit, Investigations and Community Enterprise\) Act 2004 \(c. 27\)](#), **ss. 25, 65**; Sch. 2 para. 20(2); S.I. 2004/3322, **art. 2(2)**, Sch. 2 (subject to arts. 3-13)
- F3** Words in s. 451A(1)(a) substituted (1.10.2007) by [Companies Act 2006 \(c. 46\)](#), **ss. 1037(2), 1300**; S.I. 2007/2194, **art. 2(1)(k)** (with art. 12, Sch. 3 para. 48)
- F4** S. 451A(3) substituted (1.12.2001) by S.I. 2001/3649, **art. 24**
- F5** S. 451A(6)(7) inserted (6.4.2005) by [Companies \(Audit, Investigations and Community Enterprise\) Act 2004 \(c. 27\)](#), **ss. 25, 65, Sch. 2 para. 20(3)**; S.I. 2004/3322, **art. 2(2)**, Sch. 2 (subject to arts. 3-13)

Modifications etc. (not altering text)

- C1** S. 451A applied (with modifications) (E.W.S.) (6.4.2014) by [The Co-operative and Community Benefit Societies and Credit Unions \(Investigations\) Regulations 2014 \(S.I. 2014/574\)](#), regs. 1(1), 2
- C2** S. 451A extended (with modifications) by S.I. 1989/638, regs. 18, 21, **Sch. 4 para. 11**
- C3** S. 451A applied (with modifications) (6.4.2001) by S.I. 2001/1090, reg. 4, **Sch. 2 Pt. I**

Changes to legislation:

There are currently no known outstanding effects for the Companies Act 1985, Section 451A.