



Companies Act 2006

2006 CHAPTER 46

PART 3

A COMPANY'S CONSTITUTION

CHAPTER 4

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Other provisions with respect to a company's constitution

34 Notice to registrar where company's constitution altered by enactment

- (1) This section applies where a company's constitution is altered by an enactment, other than an enactment amending the general law.
- (2) The company must give notice of the alteration to the registrar, specifying the enactment, not later than 15 days after the enactment comes into force.

In the case of a special enactment the notice must be accompanied by a copy of the enactment.

- (3) If the enactment amends—
 - (a) the company's articles, or
 - (b) a resolution or agreement to which Chapter 3 applies (resolutions and agreements affecting a company's constitution),the notice must be accompanied by a copy of the company's articles, or the resolution or agreement in question, as amended.
- (4) A "special enactment" means an enactment that is not a public general enactment, and includes—
 - (a) an Act for confirming a provisional order,

Status: This is the original version (as it was originally enacted).

- (b) any provision of a public general Act in relation to the passing of which any of the standing orders of the House of Lords or the House of Commons relating to Private Business applied, or
 - (c) any enactment to the extent that it is incorporated in or applied for the purposes of a special enactment.
- (5) If a company fails to comply with this section an offence is committed by—
- (a) the company, and
 - (b) every officer of the company who is in default.
- (6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale and, for continued contravention, a daily default fine not exceeding one-tenth of level 3 on the standard scale.