



# Small Business, Enterprise and Employment Act 2015

## 2015 CHAPTER 26

### PART 7

#### COMPANIES: TRANSPARENCY

##### *Shadow directors*

#### **89 Application of directors' general duties to shadow directors**

- (1) In section 170 of the Companies Act 2006 (scope and nature of general duties of directors) for subsection (5) substitute—
  - “(5) The general duties apply to a shadow director of a company where and to the extent that they are capable of so applying.”
- (2) The Secretary of State may by regulations make provision about the application of the general duties of directors to shadow directors.
- (3) The regulations may, in particular, make provision—
  - (a) for prescribed general duties of directors to apply to shadow directors with such adaptations as may be prescribed;
  - (b) for prescribed general duties of directors not to apply to shadow directors.
- (4) In this section—
  - “director” and “shadow director” have the same meanings as in the Companies Act 2006;
  - “general duties of directors” means the duties specified in sections 171 to 177 of that Act;
  - “prescribed” means prescribed in regulations.
- (5) Regulations under this section are subject to affirmative resolution procedure.

**Changes to legislation:**

There are currently no known outstanding effects for the Small Business, Enterprise and Employment Act 2015, Section 89.