



# Economic Crime and Corporate Transparency Act 2023

## 2023 CHAPTER 56

### PART 1

#### COMPANIES ETC

##### *Directors*

#### **41 Section 40: amendments to clarify existing corresponding provisions**

- (1) The Companies Act 2006 is amended as follows.
- (2) In section 156C (existing director who is not a natural person)—
  - (a) in subsection (2), for “be a director” substitute “hold office by virtue of that appointment”;
  - (b) after subsection (2) insert—

“(2A) Nothing in this section affects any liability of a person under any provision of the Companies Acts or any other enactment, if, having ceased to hold office by virtue of subsection (2), the person—

    - (a) purports to act as director, or
    - (b) acts as shadow director.”
- (3) In section 158 (power to provide for exceptions from minimum age requirement)—
  - (a) in subsection (3), after “office” insert “by virtue of that appointment”;
  - (b) after subsection (3) insert—

“(3A) Nothing in subsection (3) affects any liability of a person under any provision of the Companies Acts or any other enactment, if, having ceased to hold office by virtue of that subsection, the person—

    - (a) purports to act as director, or
    - (b) acts as shadow director.”

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**Changes to legislation:** There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Section 41. (See end of Document for details)

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(4) Omit section 159 (which is spent).

**Commencement Information**

- I1** S. 41 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)
- I2** [S. 41](#) in force at 4.3.2024 in so far as not already in force by [S.I. 2024/269](#), [reg. 2\(z5\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Section 41.