
STATUTORY INSTRUMENTS

2000 No. 1430

**The Companies Act 1985 (Audit
Exemption) (Amendment) Regulations 2000**

Minor and consequential amendments

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8.—(1) In subsection (9) of section 246 (special provisions for small companies)(1), for the words from “the company” to the end, substitute “the directors of the company have taken advantage of the exemption from audit conferred by section 249AA (dormant companies)”.

(2) In subsection (1) of section 247B (special auditors' report)(2)—

- (a) in paragraph (b), after “section 249A(1) or (2)” insert “or section 249AA”,
- (b) omit “and” at the end of paragraph (b), and
- (c) omit paragraph (c).

(3) In subsection (3) of section 249C (the report required for the purposes of section 249A(2))(3), omit from “(or, where the company is a charity,” to “that section)”.

(4) In subsection (1) of section 249E (effect of audit exemptions)(4), after “section 249A(1)” insert “or 249AA(1)”.

(5) After subsection (1) of section 249E insert—

“(1A) Where the directors of a company have taken advantage of the exemption conferred by section 249AA, then for the purposes of that section the company shall be treated as a company entitled to prepare accounts in accordance with section 246 even though it is a member of an ineligible group.”

(6) Section 250 (resolution not to appoint auditors)(5) is hereby repealed.

(7) In subsection (4)(a) of section 289 (particulars of directors to be registered under section 288)(6), for “section 250(3)” substitute “section 249AA(3)”.

(8) In subsection (2) of section 386 (election by private company to dispense with annual appointment of auditors)(7), for paragraph (a) substitute—

- “(a) the directors of the company have taken advantage of the exemption conferred by section 249A or 249AA, or”.

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- (1) Section 246 was substituted by section 13(1) of the Companies Act 1989, and by regulation 2 of S.I. 1997/220. Subsection (3) was amended by regulation 6(1) of S.I. 1997/570.
- (2) Section 247B was inserted by regulation 5 of S.I. 1997/220.
- (3) Section 249C was inserted by regulation 2 of S.I. 1994/1935, and amended by regulation 7(3) of S.I. 1997/220.
- (4) Section 249E was inserted by regulation 2 of S.I. 1994/1935.
- (5) Section 250 was substituted by section 14 of the Companies Act 1989, and amended by regulation 2 of S.I. 1992/3003, regulation 11 of S.I. 1996/189 and regulation 7(4) of S.I. 1997/220.
- (6) Section 289 was amended by sections 23 and 145 of, and paragraph 9 of Schedule 10 and paragraph 2 of Schedule 19 to, the Companies Act 1989.
- (7) Section 386 was substituted by sections 118 and 119(1) of the Companies Act 1989.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(9) In subsection (1) of section 388A (certain companies exempt from obligation to appoint auditors)**(8)**, for “section 250” substitute “section 249AA”.

(10) In paragraph 2(2)(a) of Schedule 1 (particulars of directors etc to be contained in statement under section 10)**(9)**, for “section 250(3)” substitute “section 249AA(3)”.

(8) Section 388A was inserted by sections 118 and 119(1) of the Companies Act 1989, and substituted by regulation 3 of [S.I. 1994/1935](#).

(9) Paragraph 2 of Schedule 1 was amended by section 23 of, and paragraph 17 of Schedule 10 to, the Companies Act 1989.