
STATUTORY INSTRUMENTS

2017 No. 516

**The Statutory Auditors and Third
Country Auditors Regulations 2017**

PART 4

Amendments to the Companies Act 2006

Amendments to Part 42 of the Companies Act 2006

- 13.**—(1) Part 42 of the Companies Act 2006 is amended as follows.
- (2) In section 1210 (meaning of “statutory auditor” etc)(1)—
- (a) for subsection (1)(c) substitute—
- “**(c)** a person appointed as auditor of a friendly society under section 72 of or Schedule 14 to the Friendly Societies Act 1992(2), where that society is—
- (i) an insurer, or
- (ii) an issuer whose transferable securities are admitted to trading on a regulated market;”;
- (b) in subsection (3), at the appropriate places insert—
- ““issuer” has the same meaning as in Part 6 of the Financial Services and Markets Act 2000(3) (see section 102A(6)(4));” and
- ““regulated market” has the same meaning as in Part 6 of the Financial Services and Markets Act 2000 (see section 103(1)(5)).”.
- (3) In section 1217 (supervisory bodies), in subsection (1A)(6)—
- (a) for “officer) and” substitute “officer), ”
- (b) after “of information)” insert “ and paragraph 12(3)(b)(v) (temporary prohibition from exercising functions in a firm)”.
- (4) In section 1219 (appropriate qualifications)(7)—
- (a) in subsection (2)(c), for “approves his qualification” substitute “approved his qualification before 1st October 2018”;
- (b) omit subsection (3).

(1) Section 1210(3) was amended by [S.I. 2008/565](#), [2012/1809](#) and [2013/3115](#); there are other instruments amending section 1210 but none is relevant.

(2) [1992 c. 40](#).

(3) [2000 c. 8](#).

(4) Section 102A was substituted for section 103 as originally enacted by [S.I. 2005/1433](#). Subsection (6) was amended by paragraph 10 of Schedule 15 to the Companies Act 2006 ([c. 46](#)) and by [S.I. 2015/1755](#); there are other amendments to the section but none is relevant.

(5) The definition of “regulated market” was amended by paragraph 11 of Schedule 15 to the Companies Act 2006.

(6) Subsection (1A) was inserted by [S.I. 2007/3494](#) and amended by [S.I. 2016/649](#). There are other amendments to section 1217 but none is relevant.

(7) Section 1219 was amended by [S.I. 2007/3494](#).

(5) In section 1253D (restriction on transfer of audit working papers to third countries)(8), after subsection (2)(g), insert—

- “(h) the Comissão de Valores Mobiliários of Brazil;
- (i) the Dubai Financial Service Authority of Dubai International Financial Centre;
- (j) the Registrar of Companies of Guernsey;
- (k) the Finance Professions Supervisory Centre of Indonesia;
- (l) the Isle of Man Financial Services Authority;
- (m) the Jersey Financial Services Commission;
- (n) the Audit Oversight Board of Malaysia;
- (o) the Independent Regulatory Board for Auditors of South Africa;
- (p) the Financial Services Commission of South Korea;
- (q) the Financial Supervisory Service of South Korea;
- (r) the Financial Supervisory Commission of Taiwan;
- (s) the Securities and Exchange Commission of Thailand.”

(6) In section 1253E (working arrangements for transfer of papers)(9), in subsection (8), for “an approved” to “(f) or (g)” substitute “the Australian Securities and Investments Commission”.

(7) In section 1254 (directions to comply with international obligations), for paragraph (a) of subsection (1) substitute—

- “(a) that any action proposed to be taken by—
 - (i) a recognised supervisory body,
 - (ii) a recognised qualifying body,
 - (iii) a person keeping a register of auditors, or part of such a register, in accordance with regulations under section 1239(1),
 - (iv) a body exercising functions under arrangements within Schedule 12,
 - (v) the Independent Supervisor,
 - (vi) the competent authority, or
 - (vii) a body designated by order under section 1252,
 would be incompatible with EU obligations or any other international obligations of the United Kingdom, or”.

(8) In Schedule 10 (recognised supervisory bodies)—

- (a) in paragraph 6(2C), for “(1B)(b)” substitute “(1A)(b)”;
- (b) in paragraph 16AA(10), at the beginning of paragraph (b) insert “in the case of an approved third country competent authority listed in section 1253D(2)(a), (b), (c), (d) or (e), ”.

(9) For paragraph 62(11) in Part 2 of Schedule 11A (specified descriptions of types of permitted information disclosure)(12) substitute—

“62. A disclosure for the purpose of making available to the public information relating to inspections carried out under regulation 9 (monitoring of audits by the competent

(8) Section 1253D was inserted by [S.I. 2007/3494](#), substituted by [S.I. 2010/2537](#) and amended by [S.I. 2016/649](#).

(9) Section 1253E was inserted by [S.I. 2007/3494](#), substituted by [S.I. 2010/2537](#) and amended by [S.I. 2016/649](#).

(10) Paragraph 16AA was substituted for paragraph 16A (which was inserted by [S.I. 2007/394](#)) by [S.I. 2010/2537](#).

(11) Paragraph 62 was amended by [S.I. 2011/1856](#).

(12) Schedule 11A was inserted by [S.I. 2007/3494](#). There are amendments which are not relevant to these Regulations.

authority) of the Statutory Auditors and Third Country Auditors Regulations 2016 ([S.I. 2016/649](#)), provided such information does not identify any audited person.”.