
STATUTORY INSTRUMENTS

2009 No. 214

The Companies (Disclosure of Address) Regulations 2009

PART 3

APPLICATION TO MAKE AN ADDRESS UNAVAILABLE FOR PUBLIC INSPECTION UNDER SECTION 1088

Application under section 1088 to make an address unavailable for public inspection by an individual

9.—(1) A section 1088 application may be made to the registrar by an individual whose usual residential address was placed on the register either—

- (a) under section 10 (documents to be sent to registrar) ^{M1}, 288 (register of directors and secretaries) ^{M2}, 363 (duty to deliver annual returns) ^{M3}, 691 (documents to be delivered to registrar) ^{M4} or 692 (registration of altered particulars) ^{M5} of or paragraph 2 of Schedule 21A ^{M6} to the 1985 Act;
- (b) under Article 21, 296, 371, 641 or 642 of the 1986 Order ^{M7}; or
- (c) as a service address under section 12 (statement of proposed officers), 167 (duty to notify registrar of changes of director's particulars) or 855 (contents of annual return) of the Act,

in respect of that usual residential address where it was placed on the register on or after 1st January 2003.

(2) The grounds on which an application under paragraph (1) may be made are that the individual making the application—

- (a) considers that there is a serious risk that he, or a person who lives with him, will be subjected to violence or intimidation as a result of the activities of at least one of the companies of which—
 - (i) he is, or proposes to become, a director; or
 - (ii) he is not a director but of which he has been at any time a director, secretary or permanent representative;
- (b) he is or has been employed by a relevant organisation;
- (c) is a section 243 beneficiary.

(3) The application shall—

- (a) contain—
 - (i) a statement of the grounds on which the application is made;
 - (ii) the name and any former name of the applicant;
 - (iii) the usual residential address of the applicant that is to be made unavailable for public inspection;
 - (iv) an address for correspondence in respect of the application;

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- (v) the name and registered number of each company of which the applicant is or has been at any time since 1st January 2003 a director, secretary or permanent representative;
- (vi) the service address which is to replace that usual residential address on the register;
- (vii) subject to paragraph (4)—
 - (aa) the date of birth of the applicant;
 - (bb) the name of each company of which the applicant proposes to become a director; and
 - (cc) where the registrar has allotted a unique identifier to the applicant, that unique identifier; and
- (b) be accompanied by evidence which—
 - (i) where the grounds of the application are those described in paragraph (2)(a), supports the applicant's assertion that his application falls within the grounds stated in his application;
 - (ii) where the grounds of the application are those described in paragraph (2)(b), establishes that the applicant is or has been employed by a relevant organisation;
 - (iii) where the grounds of the application are those described in paragraph (2)(c), establishes that he is a section 243 beneficiary.
- (4) The application need not contain the information described at paragraph (3)(a)(vii) where the application is delivered to the registrar on the same day as the applicant delivers a section 243 application.
- (5) The registrar may refer to a relevant body any question relating to an assessment of—
 - (a) the nature and extent of any risk of violence or intimidation considered by the applicant to arise in relation to himself, or a person who lives with him, as a result of the activities of any company of which he is or proposes to become a director or has been at any time a director, secretary or permanent representative; or
 - (b) whether the applicant is or has been employed by a relevant organisation.
- (6) The registrar shall determine the application and send the applicant to the address for correspondence stated in his application, notice of his determination on the section 1088 application within five working days of that determination being made.

Marginal Citations

- M1** Section 10 was amended by the [Companies \(Particulars of Usual Residential Address\) \(Confidentiality Orders\) Regulations 2002 \(S.I. 2002/912\)](#).
- M2** Section 288 was amended by the [Companies \(Particulars of Usual Residential Address\) \(Confidentiality Orders\) Regulations 2002 \(S.I. 2002/912\)](#).
- M3** Section 363 was substituted by section 139(1) of the [Companies Act 1989 \(c.40\)](#).
- M4** Section 691 was amended by the [Companies \(Particulars of Usual Residential Address\) \(Confidentiality Orders\) Regulations 2002 \(S.I. 2002/912\)](#). Section 691(2), (3) and (4) was substituted by section 145 of the [Companies Act 1989](#).
- M5** Section 692 was amended by the [Companies \(Particulars of Usual Residential Address\) \(Confidentiality Orders\) Regulations 2002 \(S.I. 2002/912\)](#).
- M6** Schedule 21A was inserted by the [Overseas Companies and Credit and Financial Institutions \(Branch Disclosure\) Regulations 1992 \(S.I. 1992/3179\)](#) and amended by [S.I. 2002/912](#).

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M7 [Article 371](#) was substituted by Article 74 of, and Article 641 was amended by Article 78 of and paragraph 6 of Schedule 5 to, the [Companies \(No. 2\) \(Northern Ireland\) Order 1990 \(S.I. 1990/1504 \(N.I. 10\)\)](#).

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Changes and effects yet to be applied to :

- Regulations amendment to earlier affecting provision S.I. 2021/716, reg. 5 by S.I. 2023/1399 reg. 4
- Regulations applied (with modifications) by S.I. 2011/245 Sch. 6 Pt. 1
- Regulations applied (with modifications) by S.I. 2021/716 Sch. 3 para. 23
- reg. 9 substituted by S.I. 2018/528 reg. 4(2)
- reg. 9(1)(b) word omitted by S.I. 2009/2400 reg. 42(3)
- reg. 9(1)(c) word inserted by S.I. 2016/339 Sch. 5 para. 6(2)(b)
- reg. 9(1)(c) words inserted by S.I. 2009/1941 Sch. 1 para. 270(2)
- reg. 9(2) word omitted by S.I. 2016/339 Sch. 5 para. 6(3)(a)
- reg. 9(3)(a)(v) words inserted by S.I. 2016/339 Sch. 5 para. 6(4)(a)
- reg. 9(5)(a) words inserted by S.I. 2016/339 Sch. 5 para. 6(5)(a)
- reg. 9(5)(a) words inserted by S.I. 2016/339 Sch. 5 para. 6(5)(b)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Blanket amendment words substituted by S.I. 2011/1043 art. 3-68-10

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 6(1) Sch. 2 para. 6 renumbered as Sch. 2 para. 6(1) by 2018 c. 12 Sch. 19 para. 339(2)
- Sch. 2 para. 6(1)(c)(iii) and word inserted by 2018 c. 12 Sch. 19 para. 339(4)(b)
- Sch. 2 para. 6(1)(d) inserted by 2018 c. 12 Sch. 19 para. 339(5)
- Sch. 2 para. 6(2) inserted by 2018 c. 12 Sch. 19 para. 339(6)
- Sch. 2 para. 6(2) omitted by S.I. 2019/348 Sch. 2 para. 10(b)(iii)
- Sch. 2 para. 11(b) omitted by S.I. 2019/348 Sch. 2 para. 10(f)
- Sch. 2 para. 6(1)(b)(ii) substituted by 2018 c. 12 Sch. 19 para. 339(3)
- Sch. 2 para. 6(1)(c)(i) substituted by S.I. 2024/410 Sch. 2 para. 3(4)(a)
- Sch. 2 para. 6(1)(c)(i) word omitted by 2018 c. 12 Sch. 19 para. 339(4)(a)
- Sch. 2 para. 6(1)(a) words omitted by S.I. 2019/348 Sch. 2 para. 10(b)(i)
- Sch. 2 para. 6(1)(b)(ii) words substituted by S.I. 2019/348 Sch. 2 para. 10(b)(ii)
- reg. 5(2)(a)(ia)(ib) inserted by S.I. 2016/339 Sch. 5 para. 3(2)(b)
- reg. 5(2)(a)(v)-(vii) inserted by S.I. 2016/340 Sch. 3 reg. 8
- reg. 5(2)(c) and words substituted for word by S.I. 2016/339 Sch. 5 para. 3(2)(d)
- reg. 5(3)(a)(iva) inserted by S.I. 2016/339 Sch. 5 para. 3(3)(a)
- reg. 5(3)(a)(via) inserted by S.I. 2016/339 Sch. 5 para. 3(3)(b)
- reg. 5(3)(a)(viii) inserted by S.I. 2016/339 Sch. 5 para. 3(3)(e)
- reg. 5(5)(6) substituted for reg. 5(5) by S.I. 2016/339 Sch. 5 para. 3(4)
- reg. 9(1)(d)-(f) inserted by S.I. 2016/339 Sch. 5 para. 6(2)(c)
- reg. 9(1)(d) words inserted by S.I. 2019/685 Sch. 3 para. 21(b)
- reg. 9(1)(e) word omitted by S.I. 2016/599 Sch. 3 para. 5(a)
- reg. 9(1)(f) omitted by S.I. 2017/693 reg. 37(b)
- reg. 9(1)(f) word inserted by S.I. 2016/599 Sch. 3 para. 5(b)
- reg. 9(1)(g) inserted by S.I. 2016/599 Sch. 3 para. 5(c)
- reg. 9(1)(ba)(bb) inserted by S.I. 2009/2400 reg. 42(3)
- reg. 9(1)(bb) word omitted by S.I. 2016/339 Sch. 5 para. 6(2)(a)
- reg. 9(1)(da) inserted by S.I. 2017/693 reg. 37(a)
- reg. 9(2)(a)(iii)(iv) inserted by S.I. 2016/339 Sch. 5 para. 6(3)(b)
- reg. 9(2)(d) and words substituted for word by S.I. 2016/339 Sch. 5 para. 6(3)(c)

- reg. 9(3)(a)(vii)(cc) word omitted by [S.I. 2016/339 Sch. 5 para. 6\(4\)\(c\)](#)
- reg. 9(3)(a)(vii)(bb) words inserted by [S.I. 2016/339 Sch. 5 para. 6\(4\)\(b\)](#)
- reg. 9(3)(a)(viii) inserted by [S.I. 2016/339 Sch. 5 para. 6\(4\)\(d\)](#)
- reg. 14(3)(3A) substituted for reg. 14(3) by [S.I. 2016/339 Sch. 5 para. 7\(4\)](#)