



Companies Act 2006

2006 CHAPTER 46

PART 17

A COMPANY'S SHARE CAPITAL

CHAPTER 3

ALLOTMENT OF EQUITY SECURITIES: EXISTING SHAREHOLDERS' RIGHT OF PRE-EMPTION

Existing shareholders' right of pre-emption

562 Communication of pre-emption offers to shareholders

- (1) This section has effect as to the manner in which offers required by section 561 are to be made to holders of a company's shares.
- (2) The offer may be made in hard copy or electronic form.
- (3) If the holder—
 - (a) has no registered address in [^{F1}the United Kingdom or an EEA State] and has not given to the company an address in [^{F1}the United Kingdom or an EEA State] for the service of notices on him, or
 - (b) is the holder of a share warrant,the offer may be made by causing it, or a notice specifying where a copy of it can be obtained or inspected, to be published in the Gazette.
- (4) The offer must state a period during which it may be accepted and the offer shall not be withdrawn before the end of that period.
- (5) The period must be a period of at least [^{F2}14 days] beginning—
 - (a) in the case of an offer made in hard copy form, with the date on which the offer is sent or supplied;

Changes to legislation: There are currently no known outstanding effects for the Companies Act 2006, Section 562. (See end of Document for details)

- (b) in the case of an offer made in electronic form, with the date on which the offer is sent;
 - (c) in the case of an offer made by publication in the Gazette, with the date of publication.
- (6) The Secretary of State may by regulations made by statutory instrument—
- (a) reduce the period specified in subsection (5) (but not to less than 14 days), or
 - (b) increase that period.
- (7) A statutory instrument containing regulations made under subsection (6) is subject to affirmative resolution procedure.

Textual Amendments

- F1** Words in s. 562(3)(a) substituted (31.12.2020) by [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/348\)](#), reg. 2, **Sch. 1 para. 9**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in s. 562(5) substituted (1.10.2009) by [The Companies \(Share Capital and Acquisition by Company of its Own Shares\) Regulations 2009 \(S.I. 2009/2022\)](#), **reg. 2**

Commencement Information

- I1** S. 562 wholly in force at 1.10.2009; s. 562 not in force at Royal Assent, see s. 1300; s. 562 in force for specified purposes at 20.1.2007 by [S.I. 2006/3428](#), **art. 3(3)** (subject to [art. 5](#), [Sch. 1](#) and with [arts. 6, 8](#), [Sch. 5](#)); s. 562 otherwise in force at 1.10.2009 by [S.I. 2008/2860](#), **art. 3(k)** (with [arts. 5, 7, 8](#), [Sch. 2](#)) (as amended by [S.I. 2009/1802](#), [art. 18](#))

Changes to legislation:

There are currently no known outstanding effects for the Companies Act 2006, Section 562.