

Changes to legislation: There are currently no known outstanding effects for the Companies (Audit, Investigations and Community Enterprise) Act 2004, Cross Heading: False information. (See end of Document for details)

SCHEDULES

SCHEDULE 7

COMMUNITY INTEREST COMPANIES: INVESTIGATIONS

False information

- 5 (1) A person commits an offence if in purported compliance with a requirement under paragraph 1 to provide information, the person—
- (a) provides information which the person knows to be false in a material particular, or
 - (b) recklessly provides information which is false in a material particular,
- ^{F1}
- ^{F2}(1A) A prosecution for an offence under sub-paragraph (1) may be instituted—
- (a) in England and Wales, only with the consent of the Director of Public Prosecutions;
 - (b) in Northern Ireland, only with the consent of the Director of Public Prosecutions for Northern Ireland.]
- (2) A person guilty of an offence under sub-paragraph (1) is liable—
- (a) on conviction on indictment to imprisonment for a term not exceeding two years or a fine or to both,
 - (b) on summary conviction in England and Wales, to imprisonment for a term not exceeding [^{F3}the general limit in a magistrates' court] or a fine of an amount not exceeding the statutory maximum or to both, and
 - (c) on summary conviction in Scotland [^{F4}or Northern Ireland], to imprisonment for a term not exceeding six months or a fine of an amount not exceeding the statutory maximum or to both.
- (3) In relation to an offence committed before [^{F5}2 May 2022], sub-paragraph (2)(b) has effect as if for “[^{F6}the general limit in a magistrates' court]” there were substituted “[^{F7}six months]”.

Textual Amendments

- F1** Words in Sch. 7 para. 5(1) omitted (6.4.2007) by virtue of [The Companies Act 2006 \(Commencement No. 2, Consequential Amendments, Transitional Provisions and Savings\) Order 2007 \(S.I. 2007/1093\)](#), art. 1(3), [Sch. 4 para. 26\(3\)](#) (with art. 11(1))
- F2** Sch. 7 para. 5(1A) inserted (6.4.2007) by [The Companies Act 2006 \(Commencement No. 2, Consequential Amendments, Transitional Provisions and Savings\) Order 2007 \(S.I. 2007/1093\)](#), art. 1(3), [Sch. 4 para. 26\(3\)](#) (with art. 11(1))
- F3** Words in Sch. 7 para. 5(2)(b) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), [Sch. Pt. 1](#) table

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- F4** Words in Sch. 7 para. 5(2)(c) inserted (6.4.2007) by The Companies Act 2006 (Commencement No. 2, Consequential Amendments, Transitional Provisions and Savings) Order 2007 (S.I. 2007/1093), art. 1(3), **Sch. 4 para. 26(4)** (with art. 11(1))
- F5** Words in Sch. 7 para. 5(3) substituted (28.4.2022) by The Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022 (S.I. 2022/500), regs. 1(2), 5(1), **Sch. Pt. 1**
- F6** Words in Sch. 7 para. 5(3) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1** table
- F7** Words in Sch. 7 para. 5(3) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), **12(4)**

Commencement Information

- I1** Sch. 7 para. 5 in force at 1.7.2005 by S.I. 2004/3322, art. 2(3), **Sch. 3**

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