



# Companies Act 2006

## 2006 CHAPTER 46

### PART 31

#### DISSOLUTION AND RESTORATION TO THE REGISTER

#### CHAPTER 1

#### STRIKING OFF

#### *Registrar's power to strike off defunct company*

#### **1000 Power to strike off company not carrying on business or in operation**

- (1) If the registrar has reasonable cause to believe that a company is not carrying on business or in operation, the registrar may send to the company [<sup>F1</sup>a communication] inquiring whether the company is carrying on business or in operation.
- (2) If the registrar does not within [<sup>F2</sup>14 days of sending][<sup>F3</sup> the communication] receive any answer to it, the registrar must within 14 days after the expiration of [<sup>F4</sup>that period] send to the company [<sup>F3</sup>a second communication referring to the first communication], and stating—
  - (a) that no answer to it has been received, and
  - (b) that if an answer is not received to the second [<sup>F5</sup>communication] within [<sup>F6</sup>14 days] from its date, a notice will be published in the Gazette with a view to striking the company's name off the register.
- (3) If the registrar—
  - (a) receives an answer to the effect that the company is not carrying on business or in operation, or
  - (b) does not within [<sup>F7</sup>14 days] after sending the second [<sup>F8</sup>communication] receive any answer,

*Changes to legislation: There are currently no known outstanding effects for the Companies Act 2006, Section 1000. (See end of Document for details)*

the registrar may publish in the Gazette, and send to the company<sup>F9</sup> ..., a notice that at the expiration of [<sup>F10</sup> 2 months ] from the date of the notice the name of the company mentioned in it will, unless cause is shown to the contrary, be struck off the register and the company will be dissolved.

- (4) At the expiration of the time mentioned in the notice the registrar may, unless cause to the contrary is previously shown by the company, strike its name off the register.
- (5) The registrar must publish notice in the Gazette of the company's name having been struck off the register.
- (6) On the publication of the notice in the Gazette the company is dissolved.
- (7) However—
  - (a) the liability (if any) of every director, managing officer and member of the company continues and may be enforced as if the company had not been dissolved, and
  - (b) nothing in this section affects the power of the court to wind up a company the name of which has been struck off the register.

#### Textual Amendments

- F1** Words in s. 1000(1) substituted (11.7.2014) by [The Companies \(Striking Off\) \(Electronic Communications\) Order 2014 \(S.I. 2014/1602\)](#), arts. 1(1), **2(2)(a)**
- F2** Words in s. 1000(2) substituted (10.10.2015) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), **ss. 103(2)(a)(i)**, 164(1) (with s. 103(5)); S.I. 2015/1689, reg. 4(c)
- F3** Words in s. 1000(2) substituted (11.7.2014) by [The Companies \(Striking Off\) \(Electronic Communications\) Order 2014 \(S.I. 2014/1602\)](#), arts. 1(1), **2(2)(b)**
- F4** Words in s. 1000(2) substituted (10.10.2015) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), **ss. 103(2)(a)(ii)**, 164(1) (with s. 103(5)); S.I. 2015/1689, reg. 4(c)
- F5** Word in s. 1000(2)(b) substituted (11.7.2014) by [The Companies \(Striking Off\) \(Electronic Communications\) Order 2014 \(S.I. 2014/1602\)](#), arts. 1(1), **2(2)(c)**
- F6** Words in s. 1000(2)(b) substituted (10.10.2015) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), **ss. 103(2)(a)(iii)**, 164(1) (with s. 103(5)); S.I. 2015/1689, reg. 4(c)
- F7** Words in s. 1000(3)(b) substituted (10.10.2015) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), **ss. 103(2)(b)(i)**, 164(1) (with s. 103(5)); S.I. 2015/1689, reg. 4(c)
- F8** Word in s. 1000(3)(b) substituted (11.7.2014) by [The Companies \(Striking Off\) \(Electronic Communications\) Order 2014 \(S.I. 2014/1602\)](#), arts. 1(1), **2(2)(d)**
- F9** Words in s. 1000(3) omitted (11.7.2014) by virtue of [The Companies \(Striking Off\) \(Electronic Communications\) Order 2014 \(S.I. 2014/1602\)](#), arts. 1(1), **2(2)(e)**
- F10** Words in s. 1000(3) substituted (10.10.2015) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), **ss. 103(2)(b)(ii)**, 164(1) (with s. 103(5)); S.I. 2015/1689, reg. 4(c)

#### Modifications etc. (not altering text)

- C1** Ss. 1000-1002 applied (with modifications) (11.7.2014) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) Regulations 2009 \(S.I. 2009/1804\)](#), regs. 2, **50** (as amended by [The Companies \(Striking Off\) \(Electronic Communications\) Order 2014 \(S.I. 2014/1602\)](#), arts. 1(1), **3(2)(3)** and as amended (10.10.2015) by [The Companies and Limited Liability Partnerships \(Filing Requirements\) Regulations 2015 \(S.I. 2015/1695\)](#), regs. 1, **5**)

**Changes to legislation:**

There are currently no known outstanding effects for the Companies Act 2006, Section 1000.