



# 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*

#### **1001 Duty to act in case of company being wound up**

- (1) If, in a case where a company is being wound up—
  - (a) the registrar has reasonable cause to believe—
    - (i) that no liquidator is acting, or
    - (ii) that the affairs of the company are fully wound up, and
  - (b) the returns required to be made by the liquidator have not been made for a period of six consecutive months,

the registrar must publish in the Gazette and send to the company or the liquidator (if any) a notice that at the expiration of [<sup>F</sup>12 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.
- (2) 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.
- (3) The registrar must publish notice in the Gazette of the company's name having been struck off the register.
- (4) On the publication of the notice in the Gazette the company is dissolved.
- (5) However—

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**Changes to legislation:** There are currently no known outstanding effects for the Companies Act 2006, Section 1001. (See end of Document for details)

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- (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.

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**Textual Amendments**

- F1** Words in s. 1001(1) substituted (10.10.2015) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), **ss. 103(3)**, 164(1) (with s. 103(6)); S.I. 2015/1689, reg. 4(c)

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**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) and as amended (10.10.2015) by [The Companies and Limited Liability Partnerships \(Filing Requirements\) Regulations 2015 \(S.I. 2015/1695\)](#), regs. 1, **5(3)**)

**Changes to legislation:**

There are currently no known outstanding effects for the Companies Act 2006, Section 1001.