



# Companies Act 2006

## 2006 CHAPTER 46

### PART 35

#### THE REGISTRAR OF COMPANIES

##### *Correction or removal of material on the register*

#### **1096 Rectification of the register under court order**

- (1) The registrar shall remove from the register any material—
  - (a) that derives from anything that the court has declared to be invalid or ineffective, or to have been done without the authority of the company, or
  - (b) that a court declares to be factually inaccurate, or to be derived from something that is factually inaccurate, or forged,and that the court directs should be removed from the register.
- (2) The court order must specify what is to be removed from the register and indicate where on the register it is.
- (3) The court must not make an order for the removal from the register of anything the registration of which had legal consequences as mentioned in section 1094(3) unless satisfied—
  - (a) that the presence of the material on the register has caused, or may cause, damage to the company, and
  - (b) that the company's interest in removing the material outweighs any interest of other persons in the material continuing to appear on the register.
- (4) Where in such a case the court does make an order for removal, it may make such consequential orders as appear just with respect to the legal effect (if any) to be accorded to the material by virtue of its having appeared on the register.
- (5) A copy of the court's order must be sent to the registrar for registration.

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**Status:** *This is the original version (as it was originally enacted).*

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- (6) This section does not apply where the court has other, specific, powers to deal with the matter, for example under—
- (a) the provisions of Part 15 relating to the revision of defective accounts and reports, or
  - (b) section 873 or 888 (rectification of the register of charges).