



Companies Act 2006

2006 CHAPTER 46

PART 4

A COMPANY'S CAPACITY AND RELATED MATTERS

Other matters

51 Pre-incorporation contracts, deeds and obligations

- (1) A contract that purports to be made by or on behalf of a company at a time when the company has not been formed has effect, subject to any agreement to the contrary, as one made with the person purporting to act for the company or as agent for it, and he is personally liable on the contract accordingly.
- (2) Subsection (1) applies—
 - (a) to the making of a deed under the law of England and Wales or Northern Ireland, and
 - (b) to the undertaking of an obligation under the law of Scotland, as it applies to the making of a contract.

Modifications etc. (not altering text)

- C1** S. 51 applied (with modifications) (1.10.2009) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) Regulations 2009](#) (S.I. 2009/1804), regs. 2, 7
- C2** S. 51 applied (with modifications) (1.10.2009) by [The Overseas Companies \(Execution of Documents and Registration of Charges\) Regulations 2009](#) (S.I. 2009/1917), **reg. 6** (with Sch.)
- C3** S. 51 applied (with modifications) (1.10.2009) by [The Unregistered Companies Regulations 2009](#) (S.I. 2009/2436), regs. 3-5, **Sch. 1 para. 3(g)** (with transitional provisions and savings in regs. 7, 9, Sch. 2)

Changes to legislation:

There are currently no known outstanding effects for the Companies Act 2006, Section 51.