



# Economic Crime and Corporate Transparency Act 2023

## 2023 CHAPTER 56

### PART 1

#### COMPANIES ETC

##### *Registration of directors, secretaries and persons with significant control*

#### **52 Protection of date of birth information**

- (1) The Companies Act 2006 is amended as follows.
- (2) In section 1087 (material not available for public inspection), for paragraph (da) substitute—
  - “(da) relevant date of birth information that section 1087A provides is not to be made available for public inspection;”.
- (3) For sections 1087A and 1087B substitute—

##### **“1087A Protection of date of birth information**

- (1) The registrar must not make available for public inspection—
  - (a) so much of any document delivered to the registrar as is required to contain relevant date of birth information;
  - (b) any record of the information contained in part of a document that is unavailable because of paragraph (a).
- (2) This section has limited application in relation to documents delivered before it comes fully into force: see section 1087B.
- (3) “Relevant date of birth information” means—
  - (a) information as to the day of the month (but not the month or year) on which a director (or proposed director) was born;

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*Changes to legislation: There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Section 52. (See end of Document for details)*

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- (b) information as to the day of the month (but not the month or year) on which a registrable person in relation to the company was born.
- (4) Information about a director (or proposed director) or registrable person does not cease to be relevant date of birth information when they cease to be a director (or proposed director) or registrable person.
- (5) Subsection (1)(b) does not affect the availability for public inspection of the same information contained in material derived from a part of a document that was not required to contain the information.
- (6) In this section “registrable person”, in relation to a company, has the meaning given by section 790C(4).

### **1087B Protection of date of birth information in old documents**

- (1) This section limits the extent to which section 1087A applies in relation to documents delivered to the registrar before that section comes fully into force (“old documents”).
- (2) Section 1087A does not apply in relation to any old documents registered before 10 October 2015.
- (3) Section 1087A does not apply in relation to any old document that is—
  - (a) a statement of a company’s proposed officers delivered under section 9 in circumstances where the subscribers gave notice of election under section 167A (election to keep information on central register) in respect of the company’s register of directors when the statement was delivered;
  - (b) a document delivered by the company under section 167D (duty to notify registrar of changes while election in force);
  - (c) a statement of initial significant control delivered under section 9 in circumstances where the subscribers gave notice of election under section 790X in respect of the company when the statement was delivered;
  - (d) a document containing a statement or updated statement delivered by the company under section 790X(6)(b) or (7) (statement accompanying notice of election made after incorporation);
  - (e) a document delivered by the company under section 790ZA (duty to notify registrar of changes while election in force).
- (4) Section 1087A does not apply in relation to any old document if—
  - (a) the document is—
    - (i) a statement of proposed officers delivered under section 9, or
    - (ii) notice given under section 167 of a person having become a director of the company,
  - (b) after the delivery of the document an election was made under section 167A in respect of the company’s register of directors, and
  - (c) the relevant date of birth information relates to a person who was a director of the company when that election took effect.
- (5) References in subsections (3)(a) to (e) and (4)(a) to (c) to a provision of this Act are to the provision as it had effect at the time at which the document was

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delivered (the provisions in question were repealed by the Economic Crime and Corporate Transparency Act 2023).

### **1087C Disclosure of date of birth information**

- (1) The registrar must not disclose relevant date of birth information except—
  - (a) in accordance with subsection (2) or (3), or
  - (b) as permitted by section 1110F (general powers of disclosure by the registrar).
- (2) The registrar may disclose relevant date of birth information if the information is made available for public inspection.
- (3) The registrar may disclose relevant date of birth information to a credit reference agency (as defined by section 243(7)).
- (4) Subsections (3) to (8) of section 243 (permitted disclosure of address information by the registrar) apply for the purposes of subsection (3) as for the purposes of that section (reading references there to protected information as references to relevant date of birth information).
- (5) In this section “relevant date of birth information” has the meaning given by section 1087A(3).”

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#### **Commencement Information**

- I1** S. 52 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)
- I2** [S. 52](#) in force at 4.3.2024 in so far as not already in force by [S.I. 2024/269](#), [reg. 2\(z11\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Section 52.