

## SCHEDULE 1

Regulation 6

### TRADING DISCLOSURES: AMENDMENT OF 1985 ACT

**1.**—(1) Section 349(1) of the 1985 Act (company's name to appear in its correspondence etc) is amended as follows.

(2) In subsection (1)—

(a) in paragraph (a), after “business letters” insert “and order forms”;

(b) after paragraph (b) insert—

“(ba) on all its websites,”.

(3) In subsection (3)—

(a) in paragraph (a), after “business letter” insert “or order form”;

(b) omit the “or” at the end of that paragraph;

(c) after that paragraph insert—

“(aa) causes or authorises the appearance of a website of the company on which the company's name is not so mentioned, or”.

(4) After subsection (4) insert—

“(5) References in this section to a document of any type are to a document of that type in hard copy, electronic or any other form.”.

**2.**—(1) Section 351(2) of the 1985 Act (particulars in correspondence etc) is amended as follows.

(2) In subsection (1), after “order forms of the company” insert “, and on all the company's websites,”.

(3) For subsection (2) substitute—

“(2) If in the case of a company having a share capital there is a reference to the amount of share capital—

(a) on the stationery used for any such letters,

(b) on the company's order forms, or

(c) on any of the company's websites,

the reference must be to paid-up share capital.”.

(4) In subsection (5), after paragraph (b) insert—

“(ba) if an officer of a company or a person on its behalf causes or authorises the appearance of a website not complying with those subsections, he is liable to a fine.”.

(5) After that subsection insert—

“(6) References in this section to a document of any type are to a document of that type in hard copy, electronic or any other form.”.

**3.** In section 705(4)(3) of the 1985 Act (change of company's registered number: use of old number on business letters etc), for “business letters and order forms” substitute “business letters, order forms and websites”.

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(1) Section 349 is applied to limited liability partnerships by the Limited Liability Partnerships Regulations 2001 ([S.I. 2001/1090](#)), regulation 4 and Schedule 2, Part 1.

(2) Section 351(1) was amended by the Companies (Audit, Investigations and Community Enterprise) Act 2004 ([c. 27](#)), Schedule 6, paragraph 8; the whole of section 351 is applied to limited liability partnerships by the Limited Liability Partnerships Regulations 2001 ([S.I. 2001/1090](#)), regulation 4 and Schedule 2, Part 1.

(3) Section 705 was substituted by the Companies Act 1989 ([c. 40](#)), Schedule 19, paragraph 14.

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

**4.** In Schedule 24 to the 1985 Act (punishment of offences)—

- (a) in the entry relating to section 349(3), after “company’s name” insert “or causing appearance of website in which company’s name not mentioned”,
- (b) after the entry relating to section 351(5)(b) insert—

“351(5) (ba)	Officer or agent of company causing appearance of website not complying with section 351(1) or (2)	Summary	Level 3 on the standard scale”
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