

Objecting to a Registered Office Address — Consultation

13 JANUARY 2010

CATEGORY:
[ARTICLE](#)

The Department for Business, Innovation and Skills has noted that there is evidence that some companies are incorrectly using, as their registered office address, the address of another business or individual with whom they have no connection. The scale of the problem is small – with Companies House receiving on average 18 complaints a month on this issue – but for those affected the inconvenience may be significant.

The Department published a consultation on 25 November 2009 entitled ‘Objecting to a registered office address’ the purpose of which is to decide whether to change the law to reduce the risk of companies incorrectly registering addresses with Companies House. The consultation which closes on 19 January 2010 sets out a possible procedure by which a third party might challenge information on the register.

The Companies Act 2006 does already provide for the removal of fraudulent information or inaccurate information from the register but in the view of the Department these provisions do not allow for the removal of a registered office address filed by the company itself. A change in the law is only suggested where the legal occupiers of an address want to stop a company from using it as their registered office.

The proposal is that a procedure is created through which an occupier can object by way of a notice to the Registrar of Companies to the use of the premises as a registered office by a company. The proposal is that Companies House would then:

- Approach the company, its directors, secretary and the person who filed the address to tell them that they had received the notice and require the company to change their registered office address.
- The company would be given a set time period in which they must either change their registered office or seek an agreement with the occupier to keep it as it is.
- If the company disputes the notice, the procedure would allow a set period in which it can apply to the Court for a ruling as to whether the person who submitted the notice is in fact the legal occupier of the premises.
- If the company did not change its registered office within the time period allowed and did not apply to the court within the period allowed or applies to the court and loses, the address on the register would cease to be the company’s registered office and a note would be made on the company’s file that any documents to be filed on the company must be done so by placing a notice in the Gazette – the official Newspaper of Record for the UK.
- Companies House would then take action to strike off the company if it does not provide a new registered office address within a certain timescale.

[Click here](#) if you would like to read the consultation document in full.

For more information about this please contact Chris Priestley.