

## **COMMERCIAL ALERT**

**7 August 2009**

### **COMPANY LAW - NEW RULES for DIRECTORS**

From 1 October 2009 new rules, relating to the disclosure of the residential addresses of company directors, come into effect under the Companies Act 2006.

As from the above date every director may provide Companies House with two addresses – their usual residential address and, for each directorship they hold, a service address. The service address (which will be used to serve proceedings) will be made available to the public but the home address will only be made available to certain public authorities, such as HMRC, the police or credit-reference agencies.

Any director can take advantage of the option to have a service address on public record and for their residential address to be placed on the protected part of the register. Addresses on the public record on 30 September 2009 will become that person's service address on 1 October and will remain so until such time as new details are supplied.

A director can choose any address as the service address (including the registered office of the company) provided it is a place where documents can be delivered and a receipt can be provided if necessary. This means that, for example, PO boxes or DX numbers cannot be used.

If a director chooses to use their home as the service address, the fact that the two addresses are the same will not be apparent from the public record. There is no cost involved in submitting service addresses to Companies House.

Action Required:

Companies should now consider, for each director, whether to:

- Submit a service address to replace their home address in the company's register of directors and/or
- Apply to try to prevent disclosure of their home addresses to credit agencies – directors at serious risk due to their company's activities can apply for such exemption

To remove your personal address from your record at Companies House and to add a service address please visit the Companies House website where the relevant forms are available.

For further information please contact Carl Selby or Tony Hatton on 01494 525941