

## FACTSHEET 9

### Company Striking Off Procedure

#### By Application to Companies House

In certain circumstances a private limited company can apply to the Registrar of Companies to be struck off and dissolved . Companies House charge a fee of £10 for this service . For the application to be successful the company must not have , in the last three months :

- Traded
- Sold stock previously held for the purposes of the trade
- Changed its name
- Engaged in any activity other than those required to settle its affairs

Copies of the application on Form 652a are required to be sent to all shareholders , creditors ( including Customs , Inland Revenue , etc ) employees and directors .

In due course the Registrar of Companies will publish a notice in the Edinburgh Gazette advertising the proposed striking off and inviting any objections . If no objections are received then the Registrar will strike the company off the register not less than three months after the date of the notice . The striking off process will be completed when the Registrar publishes a notice to that effect in the Gazette . At the same time the directors will be notified that the company has been struck off and dissolved .

#### Failure to Make Company Returns

If company directors fail to submit accounts or returns for the company and do not respond to reminders to do so from Companies House then the Registrar can commence the striking off process by default . The actual process will follow the same procedure outlined above . This sequence of events should be avoided as failing to make company returns will inevitably incur fines and result in possible legal action being taken against directors .

### **For further advice and before taking any action please give me a call .**

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