

Your Legal Questions

Paul Addison
Partner & Solicitor



Q I am a Director of a company and we have just had notification from Companies House that the company has been struck off the register and dissolved because we failed to file our annual accounts. What can we do?

A Up until 2006 it was only possible to have a company restored to the register by making an application to the court. However, the Companies Act 2006 introduced a quicker and less expensive means of restoring the company which is known as Administrative Restoration.

A person who was a director or shareholder of the company at the time it was dissolved can make the application to companies house provide that certain conditions apply, which principally are that the company was trading at the time that it was struck off and that the application is being made within 6 years. If the criteria is not met then an application to the court to restore the company can be made within 20 years.

There is an application form to complete and a fee to pay to The Registrar of Companies who will require all outstanding documents, such as accounts and annual terms, to be filed as a condition of restoring the company to the register.

There may also be late filing penalties to pay and it is also necessary to obtain a letter from the Treasury Solicitor (because all assets of the company will have vested in the Crown when the company was struck off) waiving his claim to be entitled to the assets of the company.

Paul Addison is a Partner and Solicitor in the Civil Disputes & Litigation Department.

Direct dial 01934 637906 / addison@powellslaw.com