



# Corporate Briefing

## CHANGES TO THE ACCOUNTS LATE FILING PENALTIES

Late filing penalties were originally introduced in 1992 to encourage directors of limited companies to file their accounts on time. From 1 February 2009 the Companies Act 2006 implemented new late filing penalties in an effort to encourage all companies to deliver annual accounts by the due date.

### What changes are being introduced?

- The level of penalties has been increased to take account of inflation between 1992 and 2007.
- There will be a faster rate of increase in the penalties for companies who file more than one month late.
- The penalty will double for any company who files late, having also filed late the previous year.

### What is the penalty?

How late are the accounts?	Penalty for a Private Company	Penalty for a PLC
Not more than one month	£150	£750
More than one month but not more than three months	£375	£1500
More than three months but not more than six months	£750	£3000
More than six months	£1500	£7500

Companies House will send filing reminders to the company's registered office address. If accounts are filed late, an invoice for payment of penalties will automatically be issued and sent to the company's registered office by the Registrar of Companies once the document to which the penalty applies has been filed.

### Do late filing penalties apply to other documents?

When a company amends its articles of association, a copy of the amended articles must be sent to Companies House within 15 days of the amendment being made. Failure to comply with this is a criminal offence. From 1 October 2009, if the Registrar of Companies sends a notice requiring a company to deliver a copy of its amended articles, and it does not comply with this, then the company will incur a new civil penalty of £200 and it could be liable to criminal proceedings.

To discuss how we can provide further advice in connection with these issues, please contact Stephen Foster, head of Berg Corporate, by email to [stephenf@berg.co.uk](mailto:stephenf@berg.co.uk) or alternatively you can call Stephen on 0161 833 9211.

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