



Corporate Briefing June 2009

Privacy for Residential Addresses

In a move to protect the residential addresses of directors, from 1 October 2009 the Companies Act 2006 will implement new provisions whereby directors may file a 'service address'. Directors will now be able to provide a service address that is separate from their home address.

Service Address

Under the new provisions, directors will be required to file a service address for the public record. This may be the director's residential address, the company's registered office or another address at which the director may be contacted. The new provisions do not apply to corporate directors, which must provide details of their registered office address.

A residential address will still need to be provided to both the company and Companies House. However, this information will be 'protected information' and remain confidential. The protected information will remain confidential even after the individual ceases to be a director of a company.

What role does the company play?

The company must record the service address provided by the director in the Register of Directors. The company must also keep a new confidential register - the Register of Directors' Residential Addresses. This will contain the director's usual residential address or, if the service address is the same as the residential address, a statement to that effect.

Companies House and the company must keep the protected information confidential. A company can only use or disclose the protected information if (1) the director consents; (2) the address is used to communicate with the director; (3) the address is used to comply with a provision to send information to Companies House; or (4) if it is used to comply with a court order.

When can the residential address be made public?

Companies House may put the director's residential address on the public record if communications sent to the director at the service address are not answered or if there is evidence that sending documents to the service address is ineffective in bringing them to the director's attention.

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The new provisions set out detailed instructions for Companies House to follow in order to disclose the director's residential address. Once completed, the director may not file a service address other than his residential address for five years after the date of the Registrar's decision to put the residential address on the register.

Who to contact:

For advice or further information about how we can help you please contact:

Stephen Foster

t: 0161 833 9211 or e: stephenf@berg.co.uk