STATUTORY INSTRUMENTS

1977 No. 1369

COMPANIES

The Companies (Forms) (Amendment No. 6) Order 1977

Made - - - -	*4th August* 1977
Coming into Operation	*1st October* 1977

The Secretary of State, in exercise of the powers conferred by section 455(1) of the Companies Act 1948(**a**) and section 125(1) of the Companies Act 1948 as amended by section 34 of, and Schedule 1 to, the Companies Act 1976(**b**), and now vested in him(**c**), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1.—(1) This Order may be cited as the Companies (Forms) (Amendment No. 6) Order 1977 and shall come into operation on 1st October 1977.

(2) The Interpretation Act 1889(**d**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2.—(1) Except as provided in paragraph (2) below, the Companies (Forms) Order 1949(**e**) as amended(**f**), shall have effect as if for form No. 7 set out in the Schedule thereto (being the form of annual return to be made by a company not having a share capital) there were substituted the form set out in the Schedule to this Order.

(2) Paragraph (1) of this article shall not apply in relation to an annual return made by a company on or after 1st October 1977 in the case of which there is a duty by virtue of section 7(3) of the Companies Act 1976 to annex to the return a copy of any balance sheet laid before the company in general meeting before that date.

Derek Eagers,

An Under-Secretary,
Department of Trade.

4th August 1977.

(**a**) 1948 c. 38. (**b**) 1976 c. 69. (**c**) S.I. 1970/1537 (1970 III, p. 5293). (**d**) 1889 c. 63.
(**e**) S.I. 1949/382 (1949 I, p. 714).
(**f**) S.I. 1957/606, 1962/1302, 1972/1636, 1977/530 (1957 I, p. 462; 1962 II, p. 1394; 1972 III, p. 4786; 1977 I, p. 1737).

Article 2(1)
Form 7

SCHEDULE

No. of Company .....

THE COMPANIES ACTS 1948 TO 1976

Annual return of a company not having a share capital

Pursuant to Section 125 of the Companies Act 1948 (as amended by the Companies Act 1976) and section 126 of the Companies Act 1948.

Annual return of ..... Limited*

made up to the ..... 19..... (being the fourteenth day after the date of the annual general meeting for the year 19.....).

*Delete "Limited" if not applicable.

Address of the registered office of the company

Situation of the registers of members and debenture holders, if kept at an address other than the registered office

(a) Register of members (Note 1) .....

(b) Register of debenture holders (Note 2) .....

Total amount of indebtedness of the company in respect of all mortgages and charges which are required to be registered with the Registrar of Companies (Note 3) £.....

Particulars of directors of the company at the date of this return (Note 4)

Name, nationality and date of birth (where applicable) (Notes 5, 6 and 7)	Address (Note 8)	Business occupation and particulars of other directorships (Note 9)

Particulars of the secretary of the company at the date of this return

Name (Notes 5, 6, 10 and 11)	Address (Notes 11 and 12)

Signed ..... Director Signed ..... Secretary
Banking Companies: please see Note 13.

Presented by:

Presentor's reference:

NOTES

1. Section 110 of the Companies Act 1948 refers.
2. If any such register or part of any such register is kept outside Great Britain, insert the address in Great Britain where any duplicate thereof is kept.
3. Include also any mortgages and charges which would have been required to be so registered if created after 1 July 1908.
4. If the columns give insufficient space the particulars should be continued on a separate sheet. "Director" includes any person who occupies the position of a director by whatsoever name called and any person in accordance with whose directions or instructions the directors of the company are accustomed to act.
5. Full names must be given. In the case of an individual, his present Christian name or names and surname must be given; "Christian name" includes a forename and "surname" in the case of a peer or person usually known by a title different from his surname means that title. In the case of a corporation, its corporate name must be given.
6. In the case of an individual, any former Christian names and surname must be given in addition. "Former Christian name" and "former surname" do not include: —
   (*a*) in the case of a peer or a person usually known by a British title different from his surname, the name by which he was known previous to the adoption of or succession to the title; or
   (*b*) in the case of any person, a former Christian name or surname where that name or surname was changed or disused before the person bearing the name attained the age of eighteen years or has been changed or disused for a period of not less than twenty years; or
   (*c*) in the case of a married woman, the name or surname by which she was known previous to the marriage.
7. Dates of birth need only be given in the case of directors of a company which is subject to section 185 of the Companies Act 1948, namely a company which is not a private company or which, being a private company, is the subsidiary of a body corporate incorporated in the United Kingdom which is neither a private company nor a company registered under the law relating to companies for the time being in force in Northern Ireland and having provisions in its constitution which would, if it had been registered in Great Britain, entitle it to rank as a private company.
8. Usual residential address should be given or, in the case of a corporation, the registered or principal office.
9. The names of all bodies corporate incorporated in Great Britain of which the director is also a director should be given, except bodies corporate of which the company making the return is the wholly-owned subsidiary or bodies corporate which are the wholly-owned subsidiaries either of the company or of another company of which the company is the wholly-owned subsidiary. A body corporate is deemed to be the wholly-owned subsidiary of another if it has no members except that other and that other's wholly-owned subsidiaries and its or their nominees.

10. In the case of a Scottish firm, the firm name should be shown.

11. Where all the partners in a firm are joint secretaries, the name and principal office address of the firm alone may be stated.

12. Usual residential address should be given or, in the case of a corporation or Scottish firm, the registered or principal office.

13. Banking companies. A banking company in order to avail itself of the benefit of section 432 of the Companies Act 1948 must add to the annual return a statement of the names of the several places at which it carries on business (on form 24).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Companies (Forms) Order 1949, as amended. It prescribes a new form 7 (form of the annual return required to be made by a company not having a share capital) for the purpose of section 125 of the Companies Act 1948, as amended by the Companies Act 1976. The new form takes account of the fact that from 1st October 1977 a company will no longer be required to annex copies of accounts to the annual return subject to certain transitional arrangements.

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