

ICSA Study Text in Corporate Secretaryship – errata

Please see page 241, section 6.1

In respect of a voluntary application to strike off a company, there are two references in the section to private companies. The first reference appears at the beginning of the second paragraph as follows: “If a private limited company has ceased trading...” . The second reference appears as the first item on the bulleted list regarding eligibility for voluntary striking off and reads as follows: “it must be a private company”.

As clarified in the explanatory notes to the Companies Act 2006, note 1268 to Section 1003 reads as follows: “Section 652A of the 1985 Act currently provides that, in certain circumstances, a company may apply to be struck off the register. The provision is limited to private companies. This section, in restating that provision, no longer includes the limitation, with the effect that public companies too may now apply for voluntary strike-off”.

As such, please note that both references should be read as meaning either private or public companies.