

FOI Release

Information released under the Freedom of Information Act

Title: Prosecutions for Breaching Section 84 of the Companies Act 2006

Date of release: 26 September 2014

Information request

Details of the companies, who breached Section 84 of the Companies Act 2006, including:-

- a) Company name
- b) Company number
- c) Date of reported breach
- d) Prosecution date
- e) Prosecution Penalty

Information released

The Criminal Enforcement Team of BIS's Legal Services Group deals with criminal investigation and prosecution of allegations following referral of cases to us, predominantly by Companies House and the Insolvency Service. These cases include offences under Section 84 Companies Act 2006 arising from the Companies (Trading Disclosures) Regulations 2008 (S.I. 2008/1801).

Please note that the information provided relates only to prosecutions which have been brought by BIS Criminal Enforcement Team following referral by the Insolvency Service or Companies House and does not include any cases brought by other prosecution authorities such as the Crown Prosecution Service.

The following table sets out the cases in which convictions were obtained (against either the directors, or the company or both) for breaches of Section 84 Companies Act 2006 since 1st January 2009, together with the information requested.

Table 1 – Convictions obtained for breaches of Section 84 Companies Act

| Company Name | Company Registered Number | Date of Reported Breach | Date of Sentence | Prosecution Penalty |
|---------------------------|----------------------------------|--------------------------------|-------------------------|---|
| The Loft Company Limited | 5147989 | 23/6/08 to 29/9/09 | 04/02/2010 | Two defendants were each convicted of a single offence on which they were individually fined £200 and ordered to pay costs of £250. |
| Nasco Limited | 2767710 | 31/03/2011 | 01/11/2011 | Defendant convicted of two offences contrary to s84 Companies Act together with other matters. Ordered to complete 40 hours unpaid work on these offences. Order for costs on whole case of £1650. |
| Excalibur Leasing Limited | 7085361 | 30/9/10 to 22/7/11 | 08/02/2012 | Defendant convicted of three offences on which fined £160 on each offence and ordered to pay £15 victims surcharge and £750 costs |
| 7401766 Ltd | 7401766 | 29/3/12 to 16/5/12 | 01/10/2012 | Defendant convicted of four offences on which fined a total of £400 and ordered to pay £15 victim surcharge and cost of £200. |
| Regency Law UK Ltd | 6252591 | 23/03/2012 to 20/11/2012 | 05/04/13 (on appeal) | Individual defendant convicted of three offences together with other matters. No separate penalty imposed on s84 Companies Act matters and ordered to pay costs on whole of case of £500.19. The company was also convicted of three offences and fined £600 on each offence. |