

Appendix B: outline of a witness statement

Set out below is the outline of a Witness Statement. The heading of this document should be the same as the Claim Form

IN THE MATTER of LIMITED/LTD/PLC

- and -

IN THE MATTER of THE COMPANIES ACT 2006

[name] [occupation] of [address] WILL SAY as follows:

1. The above named [company name] Limited (the Company) was incorporated on the [date] with company no. [incorporation number] under the Companies Act[s] [year of Act e.g.1985] as a Company limited by [shares][guarantee] [in the name of [original name] Limited. By a Special Resolution of the Company passed at an Extraordinary General Meeting held on the [date] the company changed its name to [next name]]. There is now produced and shown to me marked "[your initials]1" a true copy of the Certificate of Incorporation of the Company [and a true copy of the Certificate of its change of name.]
2. The registered office of the Company is at [address]
3. The nominal capital of the Company is £[total] divided into shares of £[value of each share] each. I am the holder of [number] shares in the Company.
4. The objects for which the Company was incorporated are [set out what the company was incorporated for]. A true copy of the Memorandum and Articles of association of the Company are now produced and shown to me marked "[your initials] 2".
5. The directors of the Company are [name(s)]
6. The Company secretary is [name]
7. The Company was struck off the Register of Companies under [Section 652 of the Companies Act 1985] [Section [1000] [1001] [1003] of the Companies Act 2006] on the [date] and notice thereof was published in the London Gazette on the [date]
8. The Company was struck off the Register of Companies (give a full explanation of the reasons why the company was struck off the Register)

EITHER

9. The Company is solvent and carrying on business

OR

9. The sole reason it is sought to restore the name of the Company to the Register of Companies is (set out reason e.g. recover the funds in a company bank account, transfer a property registered in the name of the Company, specific details of the property should be provided, etc.).
10. Set out any other information that explains the reason for the application.

I believe that the facts stated in this Witness Statement are true.

Signature.....

Print Name in full.....

DATED the day of 20