

## **Information Released under Freedom of Information Act**

**Subject:** Request for statistics relating to dissolved companies and the filing of accounts

**Date Released:** 3 March 2016

**Summary of request:** The enquirer requested statistics relating to dissolved companies and the filing of accounts

### **Information Released**

I can advise you of the following:

The legislation requires the registrar to issue a civil penalty for the late filing of accounts. He has limited discretion on whether or not to collect the penalty. Where this discretion is not appropriate, the registrar has a duty to pursue the penalty which can include action via the courts.

However, it has been deemed not to be in the public interest or effective use of the public purse to pursue for payment of the debt when either the company has been dissolved and no longer exists as a legal entity or is on the strike off path. If the strike off action is withdrawn for any reason, then all outstanding penalties (and costs if applicable) become payable and will be pursued. When a dissolved company is restored to the register it is liable for penalties on accounts that were overdue at the time of dissolution. This is in addition to any outstanding penalties accrued at the time of dissolution.

If the registrar has reasonable cause to believe that a company is not carrying on business or in operation, the registrar will write to the company inquiring whether the company is carrying on business or in operation. If the company fails to respond or show a 'sign of life' (filing of statutory documents), at the expiration of the time mentioned in the notice the registrar may, unless cause to the contrary is previously shown by the company, strike its name off the register. It is not in the public interest to pursue companies that are not required to remain on the register. If a company indicates that it is required to remain on the register, then the registrar will pursue the directors to fulfil their legal obligations. Companies House is a registry of company information and, as such, has no investigative powers.

Companies House and the HMRC are independent of each other and are governed by different legislation. It is the registrar's responsibility to ensure that a company fulfils its filing obligations with Companies House. That remit does not extend to a company's filing obligations with HMRC and we would be therefore unaware of any company's position with the HMRC.

Your request for statistics was passed to our IT department who have interpreted your request to be in respect of companies that have been dissolved that did not file any accounts, therefore all results have been filtered to exclude any companies that filed accounts at any point in their history.

There are possible complications regarding whether (and when) accounts should be considered overdue if a company is in the liquidation or dissolution processes and we have simplified by deeming accounts overdue if they have not been filed after their due date and the company is still active. There is also a potential for a small margin of error due to other situations, such as a company being dissolved and later restored. However, we believe that the margin of error is less than 1%.

The breakdown of the number of years overdue has been limited to a maximum of 10 years.

Please find below statistics relating to your specific question which are UK totals.

**:- Number of companies struck off in each of last three years, where no accounts were filed (calendar year used)**

2013:145769  
2014: 158697  
2015:157863

For additional information Companies House publishes generic statistics on companies removed from the register for various reasons on our website, via the following link:

<https://www.gov.uk/government/statistics/companies-register-activities-statistical-release-20142015>

To access this information, click on the excel spreadsheet titled Companies register activities 2014/2015 and go to Table CI

**:- For how many of those a year end had passed without accounts being filed but the accounts were not overdue**

2013: 94899  
2014: 101485  
2015:101954

**:- How many of these had overdue accounts**

2013: 37884  
2014: 42023  
2015:41225

**:- Breakdown by number of years overdue i.e. number of companies with only one year's accounts overdue, number with two years of accounts overdue, number with three and so on.**

2013:  
1 30960  
2 3184  
3 1717  
4 693  
5 498  
6 383  
7 138  
8 78  
9 38  
10 58  
2014:

1	31756
2	5815
3	1568
4	1198
5	590
6	467
7	235
8	122
9	45
10	33

2015:

1	32398
2	4667
3	1789
4	912
5	626
6	266
7	218
8	127
9	56
10	35

**Total value of fines accrued on these and how much of this collected**

CH does not hold this information. The late filing penalty levied will depend on how late the accounts are filed. Further information regarding the level of penalty can be found in our Late Filing Penalties Guide on page 5:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/533358/GP5\\_Late\\_Filing\\_Penalties\\_v3.0-ver0.1.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/533358/GP5_Late_Filing_Penalties_v3.0-ver0.1.pdf)