

1. What is the government doing and why?

Through the Economic Crime and Corporate Transparency Act 2023, the government is introducing measures to prevent abuse of personal information held on the Companies House register.

It is a key principle that individuals running companies should register their details so they can be held to account for the company's affairs. However, there are instances where disclosure of information on the public register can lead to an increased risk of fraud and identity theft, or put individuals at risk for other reasons, such as in cases of domestic abuse.

These new measures will allow those whose details appear on the public register at Companies House to apply to have certain personal information suppressed from public disclosure. These measures will extend the current limited instances where individuals can apply to have information on the register suppressed from the public register.

The government's aim is to strike the right balance between transparency over who is running companies, whilst ensuring the register does not become a tool for abuse and that personal information is only required by legislation when it is necessary and proportionate to do so.

2. How is the government going to do it?

The government will introduce a process whereby any individual listed on the Companies House register will be able to apply to have personal information suppressed from public view.

3. What information will this apply to?

Individuals will be able to apply to have the following information suppressed from public disclosure:

- residential address in most instances where the address appears on the register (for example, when used as a registered office address; see below)
- signatures
- business occupation
- day of date of birth for documents filed prior to 10 October 2015 (after this date only month and year of birth are shown on the public register)
- name (current or previous), or in the most serious cases, all required particulars (for example, service address and partial date of birth) in cases where evidence is provided that an individual is at serious risk of violence or intimidation
- sensitive addresses where evidence is provided that the residents are at serious risk of violence or intimidation (for example, a women's refuge (see below))

4. Who will be able to apply for personal information to be suppressed?

This will be set out in regulations, but the intention is set out here. Subject to the exceptions set out at section 5 (below), any individual whose personal information appears on the public register for a company (or other entity) because this is required by the Companies Act 2006 (or any other enactment) will be eligible under the new measures. Either the individual or the company (on behalf of the individual) will be able to apply.

5. What will the application process be? What evidence will the applicant need to provide?

These details will be set out in regulations, but the intention is set out below.

It will be the responsibility of the applicant to list in their application where their personal information appears on the public register.

Furthermore, there are instances where new information will be required before existing information is suppressed. For example, in the case of a current residential or sensitive address being used as a registered office address, a new valid alternative address will need to be provided before suppression can occur.

To balance the interests of the individual's right to privacy with those who may have a legitimate interest in a company, such as creditors, the government will introduce a time-period whereby a residential address used as the registered office address at the time of dissolution cannot be suppressed from public disclosure.

There will be no evidential threshold in the regulations to apply to suppress the following personal information:

- residential addresses
- signatures
- days of date of birth contained in documents filed prior to 10th October 2015
- business occupations

To reduce the risk of these measures being abused, Companies House will be able to request further information if it believes incorrect information has been supplied, for example, if an application requests suppression of a business address as opposed to a residential address.

Applicants will need to provide evidence that one or more individuals is personally at risk of harm to protect the following information:

- a name
- all their particulars (including their name, service address and partial date of birth)
- a "sensitive" registered office address (for example, a domestic abuse refuge)

The application must contain details of the risk and documentary evidence and/ or an attestation to support this. For example, if a person has changed their name and is at risk,

evidence could include a court order such as a restraining order, or an attestation from a suitably qualified third party, such as a police officer or caseworker. In the case of sensitive addresses, the application will need documentary evidence that the residents are potentially at risk from the address being publicly disclosed, for example an attestation from a director at a women's refuge.

A fee will be payable for applications in line with HM Treasury cost recovery principles.

6. Will there be any exceptions?

To reduce the risk of these measures being abused there may be exceptions set out in regulations. When the government develops the regulations, it will be made clear who is and who is not eligible to apply for suppression of personal information.

7. Who will be able to access information suppressed from public disclosure?

To prevent these measures from being open for abuse, we will introduce new routes to access certain suppressed information.

Access to suppressed information is currently available to certain groups, such as law enforcement agencies and other public authorities and this will continue to be the case. As part of these reforms, the Registrar will have greater powers to share data with these groups and will therefore be able to share any suppressed or protected information if deemed necessary.

We will also introduce routes by regulations which provide exceptions to the restrictions on the Registrar disclosing suppressed information. We expect this to include provisions to allow:

- those with current or prospective legal proceedings to apply to Companies House for access to a suppressed address used as a registered office address, or a signature, if they can provide evidence of the legal proceedings
- other third parties to apply to the court for access to certain suppressed information. They will need to satisfy the court of their legitimate need to access this information.

8. When will this come into effect?

These measures require consequential changes and secondary legislation and guidance, as well as system development. The government is working to implement the reforms as soon as possible.