



AYRES BRIGHT VICKERS

Chartered Accountants
and Business Advisers

**Newsletter
April 2008**

Bishopstone
36 Crescent Road
Worthing
West Sussex
BN11 1RL

COMPANIES ACT 2006 HEADLINES

SUMMARY OF SOME OF THE MAIN CHANGES

The accounting filing deadline is to be shortened.

Substantial increase in filing penalties.

Audit exemption threshold raised.

Some companies no longer require Company Secretaries

**IMPLEMENTATION
OF CHANGES
COMMENCE FROM
6th APRIL 2008**

REVISED DEADLINES AT COMPANIES HOUSE

Private Limited Companies and Limited Liability Partnerships (LLPs) will have 9 months in which to file their annual accounts with Companies House (previously 10 months).

Public Limited Companies will have 6 months to file their accounts (previously 7 months).

Broadly these new deadlines will apply to limited companies and LLPs with a year end of 30th April 2009 but also any limited company formed on or after 6th April 2008

PENALTY SUMMARY

<u>How Late</u>	<u>Private</u>	<u>Public</u>
Not more than 1 month	£ 150	£ 750
1-3 months	£ 375	£1,500
3-6 months	£ 750	£3,000
More than 6 months	£1,500	£7,500

THE NEW REGIME WILL APPLY TO ANY ACCOUNTS
FILED ON OR AFTER **1ST FEBRUARY 2009**

Penalties

**In order to discourage
serial offenders there
will be double penalties
if a company is late
more than one
successive year**



AUDIT EXEMPTION THRESHOLD

This applies to companies with accounting periods starting on or after 6th April 2008.

Small company

To be a small company, at least two of the following conditions must be met:-

- Annual Turnover must be £6.5 million or less;
- The balance sheet total must be £3.26 million or less
- The average number of employees must be 50 or less.

TO QUALIFY FOR TOTAL AUDIT EXEMPTION A COMPANY MUST QUALIFY AS SMALL, HAVE A TURNOVER OF NOT MORE THAN £6.5 MILLION AND HAVE A BALANCE SHEET TOTAL OF NOT MORE THAN £3.26 MILLION

COMPANY SECRETARIES

From 6th April 2008 the company secretary becomes optional for private Companies but they will remain mandatory for public Companies.

Companies that no longer wish to retain the services of a company secretary will first need to check their Articles of Association to determine whether they are currently legally obliged to have one.

The Articles can be amended by way of written resolution to remove the secretary and we would be more than happy to advise and assist you in this regard if this affects your company.

Companies who are not legally obliged by their Articles to have a company secretary and decide that they no longer require one will need to inform Companies House via WebFiling or on the 288b form and again we can assist you with this.

Further changes to the Companies Act requires come into force in stages up to 1st October 2009 and it may be more suitable for some companies to make no changes until all sections of the next Act are in force.