



Economic Crime and Corporate Transparency Act 2023

2023 CHAPTER 56

PART 1

COMPANIES ETC

Promoting the integrity of the register

83 Power to require additional information

- (1) The Companies Act 2006 is amended in accordance with subsections (2) to (4).
- (2) After section 1092 insert—

“Additional information

1092A Power to require information

- (1) The registrar may by notice in writing require a person to provide information to the registrar for the purposes of enabling the registrar to determine—
 - (a) whether a person has complied with any obligation imposed by an enactment to deliver a document to the registrar,
 - (b) whether any information contained in a document received by the registrar falls within section 1080(1)(a).
- (2) A requirement under this section may specify—
 - (a) the form and manner in which the information is to be provided;
 - (b) the period within which it is to be provided.
- (3) The registrar may by notice in writing extend a period specified in a requirement under this section.

Changes to legislation: There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Section 83. (See end of Document for details)

1092B Offence relating to provision of information

- (1) A person who, without reasonable excuse, fails to comply with a requirement under section 1092A commits an offence.
- (2) Where an offence under this section is committed by a firm, an offence is also committed by every officer of the firm who is in default.
- (3) A person guilty of an offence under this section is liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both);
 - (b) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
 - (ii) in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both) and, for continued contravention, a daily default fine not exceeding one-fifth of the statutory maximum;
 - (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both), and, for continued contravention, a daily default fine not exceeding one-fifth of the statutory maximum.

1092C Privilege against self-incrimination

- (1) A statement made by a person in response to a requirement under section 1092A may not be used against the person in criminal proceedings in which the person is charged with an offence to which this subsection applies.
- (2) Subsection (1) applies to any offence other than—
 - (a) an offence under one of the following provisions (which concern false statements etc)—
 - (i) section 1112 or 1112A;
 - (ii) section 5 of the Perjury Act 1911;
 - (iii) section 44(2) of the Criminal Law (Consolidation) (Scotland) Act 1995;
 - (iv) Article 10 of the Perjury (Northern Ireland) Order 1979 (S.I. 1979/1714 (N.I. 19));
 - (v) section 32 or 32A of the Economic Crime (Transparency and Enforcement) Act 2022;
 - (vi) section 34 or 35 of the Limited Partnerships Act 1907;
 - (b) any offence, not within paragraph (a), an element of which is the delivery to the registrar of a document, or the making of a statement to the registrar, that is misleading, false or deceptive.”
- (3) In section 1059A (scheme of Part 35), in subsection (2), at the appropriate place insert—

“sections 1092A to 1092C (powers to require further information),”.

Changes to legislation: There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Section 83. (See end of Document for details)

(4) In section 1087 (material not available for public inspection), in subsection (1), after paragraph (e) insert—

“(ea) any information provided to the registrar under section 1092A (power to require further information);”.

Commencement Information

I1 S. 83 in force at Royal Assent for specified purposes, see **s. 219(1)(2)(b)**

I2 S. 83 in force at 4.3.2024 in so far as not already in force by S.I. 2024/269, **reg. 2(z25)**

Changes to legislation:

There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Section 83.