

Companies Act 2006



Companies House
— for the record —

conducting business in welsh

GPO5 - October 2009



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This guidance is available in alternative formats which include Braille, large print and audio tape. For further details please see our website, email our enquiries section or telephone our contact centre on 0303 1234 500

Contents

Introduction

Chapter 1. Welsh Companies and Limited Liability Partnerships

Chapter 2. Translations and Bilingual Information

Chapter 3. Quality of Documents

Chapter 4. Further Information

Annex A – Table of Bilingual forms for Companies and Limited Liability Partnerships

This is a guide only and should be read with the relevant legislation.

- Companies Act 2006
- The Registrar of Companies and Applications for Striking Off Regulations 2009

USING THE WELSH LANGUAGE WHEN CONDUCTING BUSINESS WITH COMPANIES HOUSE

Introduction

This guide provides information about using the Welsh Language when conducting business with Companies House if you are:

- a company which has a registered office (or proposed registered office) situated in Wales (as opposed to in England and Wales); or
- a limited liability partnership (LLP) which has a registered office (or proposed registered office) in Wales (as opposed to England and Wales).

Companies and LLPs that have chosen to set up in this way may conduct their business with Companies House in Welsh. For convenience in this guide we refer to these companies and LLPs as 'Welsh'. This guide also lists the statutory forms that are available bilingually.

You can find more information about the Companies Act 2006 on our website

If you have any questions relating to the use of Welsh when conducting business with Companies House, please contact our Welsh Policy & Service Adviser on 029 20380 065

Chapter 1

Welsh Companies and LLPs

1. What are the filing requirements for 'Welsh' Companies and LLPs?

“Welsh” companies have the same filing requirements as other companies and LLPs incorporated in the United Kingdom.

We have prescribed the most commonly used statutory forms for companies and LLPs bilingually and they are available either from the Companies House website or by telephoning 0303 1234 500. Welsh language guidance and other relevant information on Companies House requirements are also available on our website.

Remember: Failure to deliver statutory documents on time is a criminal offence for which company officers and designated members of LLPs can be prosecuted. Additionally, failing to deliver accounts on time will attract an automatic civil penalty. See our guidance on 'Late Filing Penalties' or 'Limited Liability Partnerships Administration and Management' for more information on late filing penalties.

2. Can companies and LLPs be incorporated using Welsh?

Yes, provided the application for incorporation shows that the registered office is situated in Wales (as opposed to 'England and Wales'). You do not have to send an English translation for these documents because Companies House will obtain a translation for the company's public record. Companies House will also issue a certificate of incorporation in Welsh, if you require this. If you wish to use it, the statutory form for incorporation is available bilingually from our website.

For more information on how to incorporate a company, please see our guidance on, 'Incorporation and Names'. For information on how to incorporate an LLP, see our guidance on, 'Limited Liability Partnerships Incorporation and Names'.

3. Can an existing company or LLP change the location of its registered office to 'Wales'?

Yes. If an existing company has stated that its registered office is situated in 'England and Wales' or vice versa, it can pass a resolution to alter its memorandum to say that the registered office is to be situated in Wales. You must then file an AD05c to complete the change of jurisdiction. The company then has the option to change its name to a Welsh ending i.e. cyfyngedig or cwmni cyfyngedig cyhoeddus instead of “Limited” or “Public Limited Company”.

An LLP needs simply to complete an LL AD05c or LL AD05 to enable the change of jurisdiction. The LLP may then file documents in Welsh.

For more information about resolutions, please see our 'Life of a Company-Event Driven' guide.

Chapter 2

Translations and Bilingual Information

1. What documents can be delivered to Companies House in the Welsh Language?

The Companies Act 2006 allows documents relating to Welsh companies or LLPs to be drawn up and delivered to Companies House in Welsh. On delivery they must be accompanied by a certified translation into English. There are certain exceptions to this requirement, these are listed in the following paragraph.

2. What documents can I deliver to Companies House without a certified English translation?

Non traded Welsh companies/LLPs may deliver the following documents to Companies House in 'Welsh' without being accompanied by a certified translation into English.

- a company's memorandum of association
- a company's articles
- a community interest company report
- a resolution or agreement
- a declaration of a community interest company
- annual accounts and reports;
- revised accounts and report and any auditor's report on revised accounts and reports
- a document required to be appended to group accounts

Note: Statutory forms that are **not** prescribed bilingually must be used where circumstances dictate. Other 'free form' documents that are required to be delivered to Companies House, for example Orders of Court, must be accompanied by a certified translation into English, as must the accounts of traded companies.

Welsh companies may file a Welsh translation of documents filed in English where their memorandum states they are to be situated in Wales.

3. Who can 'certify' a translation into English?

The Registrar has made rules as to who can certify translations into English of documents originally drawn up and filed in the Welsh Language. Certification must be on the English translation of the document and authenticated by the person giving the certification. Both certification and authentication text must be in black ink or typescript with the authentication located at the end of the certification. The persons capable of certifying the translated document are as follows -

A director, secretary, LLP member, designated member, administrator, administrative receiver, receiver manager, receiver, liquidator, judicial factor or person authorised ; if applicable, a CIC Manager (appointed under s.47 of the CAICE Act 2004), receiver and manager (appointed under s.18 of the Charities Act 1993).

For more information on registrar's rules please visit our guide 'The Registrar's Rules and Powers' available on our website

4. What statutory documents are available bilingually?

The commonly used forms listed in Annex A are available in bilingual format. The easiest way to obtain these forms is to download them from our website.

Chapter 3

Quality of documents

1. What happens to the documents I send to Companies House?

We scan the documents and forms you deliver to us to produce an electronic image. We then store the original paper documents and use the electronic image as the working document.

When a customer searches the company record, they see the electronic image reproduced on-line. So it is important not only that the original is legible, but that it can also produce a clear copy.

When you file a document electronically, we automatically create an electronic image from the data you have provided us with.

This chapter sets out some guidelines to follow when preparing a document for filing at Companies House.

2. How should I set out documents?

Documents filed electronically

Documents filed electronically must comply with the specifications set out by the registrar in his rules on electronic filing; you can find further information about the rules by visiting our website.

Paper documents

Generally, every paper document sent to Companies House must state in a prominent position the registered name and number of the company. There are a few exceptions to this rule, which are set out in the published registrar's rules, which can be found on our website.

Paper documents should be on A4 size, plain white paper with a matt finish. The text should be black, clear, legible, and of uniform density. Letters and numbers must be clear and legible so that we can make an acceptable copy of the document. The following guidelines may help:

When you fill in a form please:

- use black ink or black type;
- use bold lettering (some elegant thin typefaces and pens give poor quality copies);
- don't send a carbon copy;
- don't use a dot matrix printer; and
- remember - photocopies can result in a grey shade that will not scan well.

When you complete other documents, please remember:

- the points already made relating to completing forms;
- to use A4 size paper with a good margin;
- to supply them in portrait format (that is with the shorter edge across the top); and
- to include the company number and name.

4. Where can I find out more about this?

For further guidance on print requirements please see our website or telephone 0303 1234 500

Chapter 4

Further Information

1. How do I send information to Companies House?

You may deliver documents by post, by hand (personally or by courier) or by the Document Exchange service.

If you send documents by post, you should address them to:

The Welsh Document Examiners
Companies House
Crown Way
Cardiff
CF14 3UZ
or DX33050 Cardiff 1

You can deliver documents by hand (personally or by courier) to Companies House, Cardiff at any time, including outside office hours, bank holidays and weekends.

If you would like to be sent an acknowledgement of receipt, please request it in a covering letter and supply a stamped addressed envelope. We will attach a 'date of receipt' barcode label to the letter and return it.

Please note: an acknowledgement of receipt does not mean that a document has been accepted for registration at Companies House.

Please Note: Companies House does not accept any statutory documents by fax, PDF or by email.

2. Do I have to pay to file documents at Companies House?

You do not have to pay a fee for many of the documents that you have to send to Companies House, **but some do require a fee and we will not accept them for registration without it.** For full details you should refer to our website.

3. What about correspondence and telephone calls?

You are welcome to write to Companies House in Welsh and, if we need to write back, our response will be in Welsh. You can also talk to Companies House in Welsh on the following helplines:

General enquiries and problems about overdue documents - 029 2038 0065

Completing and filing statutory forms - 029 2038 0065

Annex A

Companies Forms	
Appointment of director	AP01c
Appointment of corporate director	AP02c
Appointment of secretary	AP03c
Appointment of corporate secretary	AP04c
Change of director's details	CH01c
Change of corporate director's details	CH02c
Change of secretary's details	CH03c
Change of corporate secretary's details	CH04c
Termination of appointment of director	TM01c
Termination of appointment of secretary	TM02c
Change of accounting reference date	AA01c
Annual Return	AR01c
Return of allotment of shares	SH01c
Application to register a company	IN01c
Exemption from requirement as to the use of "limited" or "cyfyngedig" on change of name	NE01c
Notice of change of name by resolution	NM01c
Change of registered office address	AD01c
Notification of single alternative inspection location (SAIL)	AD02c
Change of location of the company records to the single alternative inspection location (SAIL)	AD03c
Change of location of the company records to the registered office	AD04c
Notice to change the situation of an England and Wales company or a Welsh company	AD05c
Striking off application by a company	DS01c
Withdrawal of striking off application by a company	DS02c

Limited Liability Partnerships Forms	
Change of accounting reference date of a Limited Liability Partnership (LLP)	LL AA01c
Change of registered office address of a Limited Liability Partnership (LLP)	LL AD01c
Notification of the single alternative inspection location (SAIL) of a Limited Liability Partnership (LLP)	LL AD02c
Change of location of the records to the single alternative inspection location (SAIL) of a Limited Liability Partnership (LLP)	LL AD03c
Change of location of the records to the registered office of a Limited Liability Partnership (LLP)	LL AD04c
Notice to change the situation of an England and Wales Limited Liability Partnership or a Welsh Limited Liability Partnership (LLP)	LL AD05c
Appointment of member of a Limited Liability Partnership (LLP)	LL AP01c
Appointment of corporate member of a Limited Liability Partnership (LLP)	LLAP02c
Change of details of a member of a Limited Liability Partnership (LLP)	LL CH01c
Change of details of a corporate member of a Limited Liability Partnership (LLP)	LL CH02c
Termination of appointment of member of a Limited Liability Partnership (LLP)	LL TM01c
Annual Return of a Limited Liability Partnership (LLP)	LL AR01c
Notice of change of status of a Limited Liability Partnership (LLP)	LL DE01c
Application for incorporation of a Limited Liability Partnership (LLP)	LL IN01c
Notice of change of name of a Limited Liability Partnership (LLP)	LL NM01c
Striking off application by a Limited Liability Partnership (LLP)	LL DS01c
Withdrawal of striking off application by a Limited Liability Partnership (LLP)	LL DS02c

how to contact us

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contact centre: **0303 1234 500**

(For training and quality purposes your call may be monitored)

mini-com: 029 2038 1245

enquiries@companieshouse.gov.uk

www.companieshouse.gov.uk

- Cardiff:** Companies House
Crown Way, Cardiff CF14 3UZ
Fax: 029 2038 0900
- Edinburgh:** Companies House
4th Floor, Edinburgh Quay 2,
139 Fountainbridge, Edinburgh, EH3 9FF
Fax: 0131 535 5820
- London:** Companies House
21 Bloomsbury Street, London, WC1B 3XD
Fax: 029 2038 0900
- Belfast:** Companies House,
1st Floor, Waterfront Plaza,
8 Laganbank Road, Belfast, BT1 3BS.
Fax: 028 9090 5291

For the most up to date version of this booklet please visit our website at:

www.companieshouse.gov.uk



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