

Information Released under Freedom of Information Act

Subject: Companies House policy for pursuing Late Filing matters

Date Released: 17 November 2005

Summary of request: The requester asked for Companies House policy for pursuing Late Filing matters

Information released:

Companies House policy for pursuing late filing matters; the process from start to recovery:

Companies House policy for pursuing late filing matters is a first penalty notice sent once accounts received late have been examined and accepted onto our computer system. This is followed 16 days later by a final penalty notice if there has been no payment or correspondence regarding the penalty. After this, 42 days later the matter is passed on to our agents Lewis Debt Services who issue a minimum of two letters to the company's registered office address before a claim form is issued through the Northampton County Court. At this stage legal costs are incurred. A response to the claim form usually means filing a Defence with the Court, and a manual process will be followed. If the situation is unresolved, a Court Hearing will normally result. If there is no response to the claim form, a County Court Judgement will be entered against the company by default and further legal costs are incurred.

Contact from the company's officers or representatives will usually result in manual intervention and a hold being placed on these proceedings. Payment of the penalty (and any legal costs levied) will stop further recovery action, but does not prevent further appeal against the penalty.

The process for appealing against penalties is set out in the Late Filing Penalty Appeals booklet, which is sent out with the penalty notices. Information on Late Filing Penalties and Appeals against penalties is also available on the Companies House website www.companieshouse.gov.uk under Information and Guidance.