

## DIRECTORS' ADDRESSES

With the recent increase in concerns about privacy and, in particular, use of personal data, company directors are becoming increasingly concerned about the legal requirement to have their residential address listed in the company's own statutory registers, and the public registers maintained by Companies House. There are limited exceptions to this rule where a director or person living with them is at risk of violence or intimidation (e.g directors of companies involved in animal testing, medical research or activities that may damage the environment) but it is necessary, however, for such directors to make an application and wait for a confidentiality order to be granted.

From 01 October 2009, however, the law will change when further provisions of the Companies Act 2006 are brought into force.

### Service Address

From that date, it will be possible for ALL directors to provide two addresses to the company and Companies House if they wish. Although it will still be necessary to inform Companies House of their residential address, directors will have the option of providing a service address that will appear on the public register. This service address must be an address where the director can be contacted and can be their residential address, the company's registered office, or any other address.

### Separate Registers

It will be mandatory for Companies House, and companies themselves, to keep separate registers of directors' residential addresses that must (subject to certain disclosure obligations) remain private. It is only a director's service address that can be made available for public inspection (when on the public register at Companies House or in the company's statutory registers).

The major exception to this privacy requirement is where Companies House has attempted to contact a director through their service address. Where a director's service address is different from their residential address and they fail to respond to correspondence sent to that address by Companies House, there will be a procedure whereby Companies House can make their residential address public. In those circumstances, the service address will be deleted and replaced with the residential address.

### What does this mean?

In this era of identity theft and personal data going "missing", this can only be a positive development for company directors. The cost to companies, however, will be the creation of yet another administrative burden through the maintenance of a separate register of director's residential addresses.

If you would like more information or guidance on how these changes will impact upon your company, or for information on any company law issues, please contact Chris Wills on 01872 226992, or by email: [chris@murrellashworth.co.uk](mailto:chris@murrellashworth.co.uk).

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