

United Kingdom – Service Address Facility

The Companies Act 2006 introduced new provisions for the keeping of registers of directors (sections 163-165) that come into effect on 1st October 2009. These new provisions allow individual directors to file a service address that is separate from their home address.

Under the new provisions two registers will need to be maintained:

- A register of directors, containing service addresses; and
- A register of directors' residential addresses, containing the usual residential address of each of the company's directors.

If a director's usual residential address is the same as his service address, the register of directors' residential addresses should contain an entry to that effect.

The new provisions do not apply to corporate directors which must provide details of their registered office address.

Company secretaries will only be required to provide a service address.

Residential Address

The residential address will be "protected information" and will remain confidential, even after the individual ceases to be a director of a company (note exceptions below).

The following will be able to obtain directors' residential addresses:

- Specific public bodies for carrying out their public functions (such as the Police and HMRC)
- Credit reference agencies for vetting applications for credit and associated work, and to meet obligations under the Money Laundering Regulations 2007. Vulnerable directors will be able to apply to the Registrar of Companies for their addresses not to be provided to credit reference agencies.

A director may choose to use his residential address as his service address. The fact that the two addresses are the same would not be apparent from the public record.

Credit reference agencies will not be able to obtain the usual residential address of any director who is the beneficiary of a valid confidentiality order on 30 September 2009, or who has made a successful application to the Registrar of Companies on the grounds that he is:

- at serious risk of violence or intimidation as a result of the activities of a company of which he is a director;
- or has been employed by the Police or security services.

Service Address

The service address shall be a public record.

A company will be prohibited from disclosing a director's residential address, or the fact that his address is his usual residential address (protected information), without his consent, except to comply with an obligation to send information to the Registrar of Companies or when required by Court.

A service address may be the director's residential address, the company's registered office or another address at which the director can be contacted. The address must be where documents can be delivered and an acknowledgement or receipt can be provided if required. The address cannot be a PO Box or a DX number.

If the company is in default any letters addressed to the director will be sent to the service address.

Section 243 of the Companies Act 2006 also allows the Registrar to use a director's home address to communicate with the director concerned and, subject to certain conditions, to disclose information to a public authority or credit reference agency.

The legislation relating to the service address allows the Registrar to ban the use of the service address for 5 years and to place the usual residential address on the public register if the service address is found to be ineffective. To minimise the exposure to this, we will require a signed undated CH01 (CHANGE OF DIRECTOR DETAILS FORM) to be held on our files (see terms and conditions).

The provision of service address facility will also include forwarding any official mail received from Companies House and the Inland Revenue. If you would like to additionally opt for our general mail forwarding facility then please advise.

We are able to provide the following as a service address:

Fees (excluding VAT)	
1 st Floor, 41 Chalton Street, London NW1 1JD	£75 per annum
3 rd Floor, White Rose House, 28a York Place, Leeds LS1 2EZ	£75 per annum
3 Inns Quay, Dublin 7, Ireland	£100 per annum
Mail / Fax forwarding service	£250 per annum

We will require the following documents:

1. The provisions of the Money Laundering Regulations 2007 will apply to this service. We will therefore require the following from the director requesting the service address facility:
 - a) Certified passport copy;
 - b) Original or certified recent utility bill (within the last 3 months).
2. Signed but undated CH01 (CHANGE OF DIRECTOR DETAILS FORM) for the change of service address (see our terms and conditions) to be held on our files;
3. Signed client agreement.