

Resignation of statutory auditors: right to get notice of, attend, and be heard at general meeting

402. (1) Statutory auditors of a company who have resigned from the office of statutory auditors shall be permitted by the company to attend—

(a) the next annual general meeting of the company after their resignation, and

(b) any general meeting of the company at which it is proposed to fill the vacancy caused by their resignation or convened pursuant to a requisition of theirs referred to in section 401 (1),

and, for that purpose, the company shall—

(i) send them all notices of, and other communications relating to, any such meeting that a member of the company is entitled to receive, and

(ii) permit them to be heard at any such meeting which they attend on any part of the business of the meeting which concerns them as former statutory auditors of the company.

(2) If default is made in complying with subsection (1), the company concerned and any officer of it who is in default shall be guilty of a category 3 offence.

(3) In subsection (2) “officer” includes any shadow director and de facto director.