

Publication of revised financial statements and reports

374. (1) This section has effect where the directors have prepared revised financial statements or a revised directors' report under section 366 and copies of the original statutory financial statements or original directors' report have been sent to any person under section 338.

(2) The directors shall send to any such person—

(a) in the case of a revision effected by replacement, a copy of the revised financial statements, or (as the case may be) the revised directors' report, together with a copy of the statutory auditors' report on those financial statements, or (as the case may be) on that report, or

(b) in the case of a revision effected by supplementary note, a copy of that note together with a copy of the statutory auditors' report on the revised financial statements, or (as the case may be) on the revised directors' report,

not more than 28 days after the date of revision.

(3) The directors shall also, not more than 28 days after the date of revision, send a copy of the revised financial statements or (as the case may be) the revised directors' report, together with a copy of the statutory auditors' report on those financial statements or (as the case may be) on that report, to any person who is not a person entitled to receive a copy under section 338 but who is, as at the date of revision—

(a) a member of the company,

(b) a holder of any debentures of the company, or

(c) a person who is entitled to receive notice of general meetings.

(4) If default is made in complying with this section, each of the directors who approved the revised financial statements under section 324 as applied by section 368 or the revised directors' report under section 332 as applied by section 369 shall be guilty of a category 3 offence.

(5) Where, prior to the date of revision of the original statutory financial statements, the company—

(a) had completed sending copies of those financial statements under section 338, references in this Act to the day on which financial statements are sent under section 338 shall be read as references to the day on which the original statutory statements were sent under that section (applying subsection (8) of it as necessary) despite the fact that those financial statements have been revised, or

(b) had not completed sending copies of those financial statements under section 338, the foregoing references in this Act shall be read as references to the day, or the last day, on which the revised

financial statements are sent under this section.