

CHAPTER 21 Notification to Supervisory Authority of certain matters and auditors acting while subject to disqualification order

Duty of auditor to notify Supervisory Authority regarding cessation of office

403. (1) Where, for any reason, during the period between the conclusion of the last annual general meeting and the conclusion of the next annual general meeting of a company, a statutory auditor ceases to hold office by virtue of section 394 or 400, the auditor shall—

(a) in such form and manner as the Supervisory Authority specifies, and

(b) within 30 days after the date of that cessation,

notify the Supervisory Authority that the auditor has ceased to hold office.

(2) That notification shall be accompanied by—

(a) in the case of resignation of the auditor, the notice served by the auditor under section 400 (1),
or

(b) in the case of removal of the auditor at a general meeting pursuant to section 394, a copy of any representations in writing made to the company, pursuant to section 397 (2), by the outgoing auditor in relation to the intended resolution except where such representations were not sent out to the members of the company in consequence of an application to the court under section 397 (4).

(3) Where, in the case of resignation, the notice served under section 400 (1) is to the effect that there are no circumstances connected with the resignation to which it relates that the auditor concerned considers should be brought to the notice of members or creditors of the company, the notification under subsection (1) shall also be accompanied by a statement of the reasons for the auditor's resignation.

(4) In this section—

(a) “resignation” includes an indication of unwillingness to be re-appointed at an annual general meeting; and

(b) a reference to a notice served under section 400 (1) includes a reference to a notice given by the auditor that is referred to in section 383 (2)(c).