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## Companies Act 2006 c. 46

# s. 90 Re-registration of private company as public

Law In Force

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### Subjects

Company law

### Keywords

Companies limited by shares; Private companies; Public companies; Re-registration

## 90 Re-registration of private company as public

- (1) A private company (whether limited or unlimited) may be re-registered as a public company limited by shares if—
- (a) a special resolution that it should be so re-registered is passed,
  - (b) the conditions specified below are met, and
  - (c) an application for re-registration is delivered to the registrar in accordance with [section 94](#), together with—
    - (i) the other documents required by that section, and
    - (ii) a statement of compliance.
- (2) The conditions are—
- (a) that the company has a share capital;
  - (b) that the requirements of [section 91](#) are met as regards its share capital;
  - (c) that the requirements of [section 92](#) are met as regards its net assets;
  - (d) if [section 93](#) applies (recent allotment of shares for non-cash consideration), that the requirements of that section are met; and
  - (e) that the company has not previously been re-registered as unlimited.
- (3) The company must make such changes—
- (a) in its name, and
  - (b) in its articles,
- as are necessary in connection with its becoming a public company.
- (4) If the company is unlimited it must also make such changes in its articles as are necessary in connection with its becoming a company limited by shares.

*Part 7 RE-REGISTRATION AS A MEANS OF ALTERING A COMPANY'S STATUS >  
Private company becoming public > s. 90 Re-registration of private company as public*

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