

Why appoint a nominee company secretary?

Whilst the Companies Act 2006 no longer requires a private company to appoint a company secretary, the duties that were previously the responsibility of the secretary still exist and become the responsibility of the directors if no secretary is appointed. Situations often arise where it may be advisable to appoint an independent third party as company secretary and it is often considered more professional to have the role filled by a professional.

Key Points:

- Appointment of a professional company secretary ensures that the company has access to accurate and up to date information concerning matters of company law.
- The Companies Act 2006 contains complex legislation, which can take significant time and effort to understand fully.
- A professional company secretary will help ensure directors are always correctly advised.
- An independent company secretary can provide advice and support for the directors and leave them free to concentrate on operating the business side of the company.
- Appearance matters. Improved perception by potential suppliers or customers and the public in general.
- "One man" companies can benefit from the service where the director wishes the company to be perceived as a professionally structured organisation.

As a rule, should a client wish to use the service we would appoint our nominee corporate company secretary to act in the role. In some circumstances clients may choose to use the services of a named individual as their company secretary to provide a more direct advisory role within the organisation. We can discuss this option with you if necessary. The nominee corporate secretary does not have any involvement in the day-to-day operation of the business and does not become a signatory to any bank accounts.

We urge clients who use this facility to also consider our Managed Company Secretarial Service. When both facilities are utilised there are often matters that can be concluded without the need to make regular referrals to the directors, and this consequently allows us to provide a more comprehensive and time-saving service.