

ID verification and non-disqualification disclosure requirements for individuals

When the relevant sections of ECCTA come into force, all new and existing company directors, members of an LLP, general partner of a limited partnership (LP), PSCs and anyone else submitting filings for the company at Companies House will be required to verify their identity and to disclose whether they are disqualified under the Company Director Disqualification Act 1986 (CDDA). Without ID verification, or if disqualified, they will be prohibited from being appointed and from acting in any capacity.

These requirements will not apply to the shareholders unless they are also PSCs.

Where a corporate entity is running or controlling a UK company, each of its own directors must verify their identity.

Directors will also be prohibited from acting, and companies must not allow a director to act, until their appointment has been registered at Companies House. If there is a delay in the registration of the appointment beyond the 14-day window prescribed under the Companies Act, an offence will be committed but the contravention does not invalidate the individual's acts as a director.

Directors and PSCs of the companies incorporated before the relevant ECCTA provisions come into force will be expected to comply with these requirements during the transition period, to be confirmed in due course. If they fail to do so, they will be prohibited from acting until they comply.

Two options of ID verification

Individuals will be required to give their full name and provide a copy of their photo ID (passport or driving licence) either:

- (i) directly to Companies House via a new portal (to be enabled in due course), or
- (ii) via indirect verification through an authorised corporate services provider (ACSP) which may provide ID verification on behalf of its clients.

Blick Rothenberg meets the requirements for authorisation as ACSP and we will be applying to be authorised as soon as the application process opens at Companies House. This should be approximately three months prior to the implementation of the requirement for ID verifications.

Once a person's identity has been verified, they will be allocated **a unique identifier** and there will be no need to go through the ID verification process again unless there is a change to their personal details.

ID verification will flag up any inconsistencies in the details previously disclosed at Companies House for the individual and this may cause future filings to be rejected.