



Declaration in relation to the redemption or purchase of shares out of capital

CHWP000

Please do not write in this margin

Pursuant to section 173 of the Companies Act 1985

Please complete legibly, preferably in black type, or bold block lettering

To the Registrar of Companies (Address overleaf - Note 4)

For official use

Company number

Three dashed boxes for official use

Company number input box

Name of company

\* insert full name of company

Name of company input box with asterisk

Note Please read the notes on page 2 before completing this form.

I / We ø \_\_\_\_\_

ø insert name(s) and address(es) of all the directors

Multiple horizontal lines for director information

† delete as appropriate

[the sole director][all the directors]† of the above company do solemnly and sincerely declare that:

The business of the company is:

§ delete whichever is inappropriate

- (a) that of a [recognised bank][licensed institution]† within the meaning of the Banking Act 1979§
(b) that of a person authorised under section 3 or 4 of the Insurance Companies Act 1982 to carry on insurance business in the United Kingdom§
(c) that of something other than the above§

The company is proposing to make a payment out of capital for the redemption or purchase of its own shares

The amount of the permissible capital payment for the shares in question is £\_\_\_\_\_ (note 1)

Continued overleaf

Presenter's name address and reference (if any) :

For official Use (02/06) General Section

Post room

I / We have made full enquiry into the affairs and prospects of the company, and I / we have formed the opinion:

Please do not write in this margin

- (a) as regards its initial situation immediately following the date on which the payment out of capital is proposed to be made, that there will be no grounds on which the company could then be found unable to pay its debts (note 2), and
- (b) as regards its prospects for the year immediately following that date, that, having regard to my/our intentions with respect to the management of the company's business during that year and to the amount and character of the financial resources which will in my / our view be available during that year, the company will be able to continue to carry on business as a going concern (and will accordingly be able to pay its debts as they fall due) throughout that year. (note 2)

*Please complete legibly, preferably in black type, or bold block lettering*

And I / we make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

Declared at \_\_\_\_\_

Declarant(s) to sign below

\_\_\_\_\_

on

Day	Month	Year

before me \_\_\_\_\_

A Commissioner for Oaths, or Notary Public, or Justice of the Peace, or Solicitor having the powers conferred on a Commissioner for Oaths.

### Notes

- 1 'Permissible capital payment' means an amount which, taken together with
  - (i) any available profits of the company; and
  - (ii) the proceeds of any fresh issue of shares made for the purposes of the redemption or purchase;
 is equal to the price of redemption or purchase.  
 'Available profits' means the company's profits which are available for distribution (within the meaning of section 172 and 263 of the Companies Act 1985).  
 The question whether the company has any profits so available and the amount of any such profits is to be determined in accordance with section 172 of the Companies Act 1985.
- 2 Contingent and prospective liabilities of the company must be taken into account, see sections 173(4) & 517 of the Companies Act 1985.

- 3 A copy of this declaration together with a copy of the auditors report required by section 173 of the Companies Act 1985, must be delivered to the Registrar of Companies not later than the day on which the company publishes the notice required by section 175(1) of the Companies Act 1985, or first publishes or gives the notice required by section 175(2), whichever is the earlier.

- 4 The address for companies registered in England and Wales or Wales is:-

The Registrar of Companies  
Companies House  
Crown Way  
Cardiff  
CF14 3UZ

DX 33050 Cardiff

or, for companies registered in Scotland:-

The Registrar of Companies  
Companies House  
139 Fountainbridge  
Edinburgh  
EH3 9FF

DX 235 Edinburgh  
or LP-4 Edinburgh 2