



David Winter <davidwinterg8@gmail.com>

TROM COMPUTERS CIC - 13240493

1 message

no-reply <no-reply@companieshouse.gov.uk>
To: "davidwinterg8@gmail.com" <davidwinterg8@gmail.com>

Wed, Jun 4, 2025 at 9:45 AM

Your Ref

Our Ref LFP/13240493

Date 04/06/2025

Dear David Winter

TROM COMPUTERS CIC - 13240493

Thank you for your letter of appeal dated 10/03/2025, regarding the late filing penalty issued for the 31/03/2024 accounts for the above-named CIC company.

The registrar can only exercise discretion not to collect a penalty in exceptional circumstances. After careful consideration of the points raised in your correspondence and the available information, it is our view that it would not be appropriate to exercise discretion on this occasion. Therefore, the penalty was correctly levied.

As the sole director; you were required to prepare accounts for the period ending 31/03/2024, and to ensure they were delivered, in an acceptable format, by no later than 31/12/2024, if the CIC company were to avoid the imposition of a late filing penalty.

I can confirm that the CIC company attempted to file paper accounts and believed you had sent acceptable accounts to Companies House, as received on 16/01/2025. However, these accounts were rejected on 17/01/2025, as these CIC accounts have different accounting reference dates on these accounts.

I accept that the accounts were originally filed before the deadline, but they were rejected as they failed to meet the statutory requirements. Accounts are a statutory document, and the registrar cannot accept them for filing unless they have been submitted in the correct format. If they do not contain the correct company information, then they do not comply with the law, and they must be rejected.

The acceptable accounts were received on 28/02/2025, resulting in a £375 penalty being levied against the CIC company.

I must politely point out that the late filing penalty is a civil matter, as late filing penalties are levied on the CIC company, and not on CIC company directors. I would also like to explain that any failure to file accounts is a criminal offence for which a director may be prosecuted and fined. It can also lead to companies being struck off the public register.

Late filing penalties are levied under the provisions of the Companies Act, and as Trom Computers CIC is a registered company under the Act, it must comply with company law and file its accounts on time, regardless of if it has only been incorporated and does not trade. I must also point out that, legislation does not differentiate between companies based upon their size, assets, nature of if trading or not. It simply requires *all* companies to file on time. The Registrar is unable to treat this CIC company any differently to any other. You may feel this unduly harsh, but we are unable to change what Parliament has decided.

I note your request for information under the Freedom of Information Act 2000. I can confirm that your request has been referred to our Freedom of Information Team (FOI) and they will reply under separate cover at the right time.

Regarding your request for compensation, as a government agency, Companies House does not pay compensation and will only consider payment of costs incurred as a direct result of an error that we have made. These payments are made as gestures of goodwill to assist customers who have incurred extra costs because of our actions. Each case is dealt with individually and when making payments, Government Agencies such as Companies House are required to take a variety of factors into consideration. Not least are the results of our investigations and the effect on our use of 'public money'.

If you believe that Companies House has contributed to losses or additional costs for the company before we can consider any such payment, we require a detailed breakdown of any costs you have incurred because of any error. This should include copies of any itemized invoices and vouched records to substantiate your claim.

To help this company file their 31/03/2024 accounts, an electronic reminder was sent to you, as the company recipient, on 03/12/2024 at 12:57:07. The electronic reminder linked to a page on the Companies House website www.companieshouse.gov.uk/eaccounts with further information. It also said, "you may be able to apply for more time, but applications must be made in writing before the deadline." No such request for an extension was received.

The registrar's scope for discretion to excuse a company from payment of a penalty is extremely limited, and she cannot decide not to collect penalties simply because it might seem fair or equitable for her to do so.

Therefore, the £375 penalty was correctly levied and remains payable in full. If it is of any assistance to the company, we may be prepared to accept payment of the penalty by monthly instalments. Should the company wish to take up this offer, please e-mail enquiries@companieshouse.gov.uk and your request will be considered.

Recovery proceedings have been suspended until 04/07/2025, allowing the company time to arrange payment, or submit an instalment request.

Please note that if the company submits the 31/03/2025 accounts late, these must be delivered before 31/12/2025, or the company will incur a double penalty. Further information can be found on our website: <https://www.gov.uk/government/organisations/companies-house>

For future reference, company's experiencing unforeseen difficulties can apply for an extension to the filing period. The company must apply before the filing deadline. Find out more about how to apply for an extension: <https://www.gov.uk/guidance/apply-for-more-time-to-file-your-companys-accounts>

Finally, I recommend using our online appeals portal for a more efficient and instantaneous confirmation of receipt. You can locate further guidance on the late filing penalties and the complete appeals process, please visit our website at <https://www.gov.uk/government/publications/late-filing-penalties>

I regret sending what I know to be a disappointing reply but hope I have clarified the registrar's position in this matter.

Yours sincerely

Peter
Case Manager, Late Filing Penalties

0303 123 4500
www.gov.uk/companieshouse
Follow us on X: [@CompaniesHouse](https://twitter.com/CompaniesHouse)

Further guidance on late filing penalties and the complete appeals process, please visit our website at <https://www.gov.uk/government/publications/late-filing-penalties>

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