

Preparing to Sell your Business

Do you want to realise the maximum value of your company?

If so you should consider the following checklist which will help you to ensure that your business has all the necessary documentation in place to effect a smooth completion.

- Are the statutory books up to date and do you know where they are?
- Do you have the company seal and share certificates?
- Are all the documents required to be filed at Companies House actually filed?
- Are the documents held at Companies House up to date?
- Are there any debentures / other charges that are now redundant showing at Companies House?
- Do you have contracts in place for all your material business relationships?
- Do your material contracts have change of control provisions?
- If you are a Data Processor under the Data Protection Act do you have the required registration at the Information Commissioner's office?
- Are any VAT / PAYE / NI payments outstanding?
- Do you have all the licences / permits in place which are required in order for your business to operate?
- Are your management accounts up to date?
- Do you have contracts and up to date staff records in place for all your employees?
- Do you have insurance policies in place and is the cover sufficient?
- Are you in breach of any terms of a lease?
- Do you have all the documentation relating to Stamp Duty Land Tax payments?
- Do you have the deeds for any properties occupied by the business?
- Do you have sufficient software licences for all your users?
- Has the company's intellectual property been registered / protected?
- Are there any maintenance fees in respect of trade mark registration / domain names / patents / design rights outstanding?
- Are the company's website and IP in the company name or in the name of an employee, consultant or director?
- Do you have standard terms and conditions of business?



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Are you able to put together the key documentation which a purchaser of company will require, including;

- Copies of any freehold and leasehold deeds of premises. These should be checked for any provisions, such as change of control, which may prevent or slow down a sale
- Details of banking arrangements and facilities available including details of any security, such as personal guarantees, which may have been given by the sellers
- Copies of all insurance and proof of premiums paid
- Copies of any hire purchase, leasing or other similar agreements
- Schedule of all current employees and copies of all their contracts
- Copies of all maintenance agreements for equipment
- Copies of all software licences
- Copies of documents showing any registered Intellectual Property
- Copies of all company run pension schemes with details of employers and employees contributions
- Copies of all licences necessary for the operation of the company's business
- Copies of all agency, distribution, supplier and other similar agreements
- Details of any current or anticipated litigation

Finally, consider having a legal and financial “health check” to ensure that your business is ready for sale.

**Contact KWS on 01273 704777
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