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CLAIMS ON A COMPANY: PIERCING THE CORPORATE VEIL

The long established principle of separate legal personality makes an incorporated company responsible for its acts and omissions, rather than its directors and members who remain behind a “corporate veil”.

However, in circumstances in which those who control the company have used its corporate structure to engage in wrongdoing, the courts have been willing to pierce the corporate veil and expose such controllers to personal liability.

Certainly, in recent years there has been an increased interest in this area and, as a spate of cases have shown, has encouraged claimants to push the boundaries of when the veil can be pierced so as to claw back monies they are owed.

One aspect of this are the possible consequences within divorce regarding assets owned by a company which a spouse may claim to be matrimonial - as seen in the widely-reported Supreme Court case of [Prest v Petrodel Resources Ltd](#) [2013].

For more information please contact our Commercial Department..

Kind Regards

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