
DRAFT STATUTORY INSTRUMENTS

2016 No. XXXX

COMPANIES

The Register of People with
Significant Control Regulations 2016

*Made - - - - - ***
Coming into force in accordance with
regulation 1(2)*

THE REGISTER OF PEOPLE WITH
SIGNIFICANT CONTROL REGULATIONS 2016

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Companies to which Part 21A of the Act does not apply
4. Legal entities which are subject to their own disclosure requirements
5. Modification for persons covered by section 790C(12) of the Act
6. Fee for a copy of a company's PSC register

PART 3

7. Particulars required as to nature of control
8. Characteristics of a foreign limited partner

PART 4

9. Additional matters to be noted in a PSC register
10. Additional matters where there is no registrable person or registrable relevant legal entity
11. Additional matters where there is an unidentified registrable person
12. Additional matters where an identified registrable person's particulars are not confirmed
13. Additional matters where a company's investigations are ongoing

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Register of People with Significant Control Regulations 2016 No. 339*

14. Additional matters where there is a failure to comply with a notice given under section 790D of the Act
15. Additional matters where there is a failure to comply with a notice given under section 790E of the Act
16. Additional matters where a notice given under section 790D or section 790E of the Act is complied with after the time specified in the notice
17. Additional matters where a company has issued a restrictions notice

PART 5

18. Content of a warning notice
19. Content of a restrictions notice
20. Failure to comply with a section 790D or 790E notice: valid reason
21. Withdrawal of a restrictions notice

PART 6

22. Permitted disclosure of usual residential address information by the registrar to specified public authorities
23. Permitted disclosure of usual residential address information by the registrar to credit reference agencies
24. Circumstances where the registrar must refrain from disclosure of usual residential address information
25. Application by an individual requiring the registrar to refrain from disclosing that individual's usual residential address information to a credit reference agency
26. Application by a company requiring the registrar to refrain from disclosing an individual's usual residential address information to a credit reference agency
27. Application by a subscriber to a memorandum of association requiring the registrar to refrain from disclosing an individual's usual residential address information to a credit reference agency
28. Matters relating to an application made under regulation [25](#), [26](#) or [27](#)
29. Withdrawal of an application made under regulation [25](#), [26](#) or [27](#)
30. Appealing against a determination made under regulation [25](#), [26](#) or [27](#)
31. Duration of a determination made under regulation [25](#), [26](#) or [27](#)
32. Revocation of a determination made under regulation [25](#), [26](#) or [27](#)

PART 7

33. Circumstances where the registrar must omit secured information from material on the register available for public inspection
34. Circumstances where the registrar must not use or disclose secured information
35. Fee payable for the disclosure by the registrar of secured information
36. Application by an individual requiring the registrar to refrain from using or disclosing that individual's secured information
37. Application by a company requiring the registrar to refrain from using or disclosing an individual's secured information
38. Application by a subscriber to a memorandum of association requiring the registrar to refrain from using or disclosing an individual's secured information

39. Matters relating to an application made under regulation 36, 37 or 38
40. Withdrawal of an application made under regulation 36, 37 or 38
41. Appealing against an unsuccessful application made under regulation 36, 37 or 38
42. Unsuccessful determination made under regulation 36, 37 or 38
43. Duration of a determination under regulation 36, 37 or 38
44. Revocation of a determination under regulation 36(5), 37(5) or 38(5)
45. Protection by a company of secured information

PART 8

46. Transitional provision regarding the protection of secured information
47. Transitional provision for the purpose of section 790K
48. Amendments to the 2009 Regulations
49. Review
Signature

SCHEDULE 1 — LIST OF MARKETS

SCHEDULE 2 — PARTICULARS REQUIRED AS TO NATURE OF CONTROL

PART 1 — First Condition

1. A statement that the person holds, directly or indirectly, more...
2. A statement that the person holds, directly or indirectly, more...
3. A statement that the person holds, directly or indirectly, 75%...

PART 2 — Second Condition

4. A statement that the person holds, directly or indirectly, more...
5. A statement that the person holds, directly or indirectly, more...
6. A statement that the person holds, directly or indirectly, 75%...

PART 3 — Third Condition

7. A statement that the person holds the right, directly or...

PART 4 — Fourth Condition

8. A statement that the person has the right to exercise,...

PART 5 — Fifth Condition and Trusts

9. A statement that— (a) the person has the right to...
10. A statement that— (a) the person has the right to...
11. A statement that— (a) the person has the right to...
12. A statement that— (a) the person has the right to...
13. A statement that— (a) the person has the right to...
14. A statement that— (a) the person has the right to...
15. A statement that— (a) the person has the right to...
16. A statement that— (a) the person has the right to...

PART 6 — Fifth Condition and Firms

17. A statement that— (a) the person has the right to...
18. A statement that— (a) the person has the right to...
19. A statement that— (a) the person has the right to...
20. A statement that— (a) the person has the right to...
21. A statement that— (a) the person has the right to...
22. A statement that— (a) the person has the right to...
23. A statement that— (a) the person has the right to...
24. A statement that— (a) the person has the right to...

PART 7 — Interpretation of Schedule 2

25. In relation to a company that does not have a...

SCHEDULE 3 — SPECIFIED PUBLIC AUTHORITIES

SCHEDULE 4 — CONDITIONS FOR PERMITTED DISCLOSURE

PART 1 — Disclosure to Specified Public Authorities

1. The specified public authority has delivered to the registrar a...
2. Subject to paragraph 3, the specified public authority has delivered...
3. Paragraph 2 does not apply where the specified public authority...
4. The specified public authority has delivered any information or evidence...
5. The specified public authority has complied with any requirement by...

PART 2 — Disclosure to a Credit Reference Agency

6. The credit reference agency— (a) is carrying on in the...
7. The credit reference agency has delivered to the registrar a...
8. The credit reference agency has delivered to the registrar a...
9. The credit reference agency has delivered to the registrar a...
10. The credit reference agency has delivered to the registrar a...
11. The credit reference agency has delivered any information or evidence...
12. The credit reference agency has complied with any requirement by...

PART 3 — Interpretation of this Schedule

13. In this Schedule— (a) “processor” means any person who provides...

SCHEDULE 5 — AMENDMENTS TO THE 2009 REGULATIONS

1. The 2009 Regulations are amended as follows.
2. In regulation 1(2) (citation, commencement and interpretation), insert the following...
3. (1) Regulation 5 (application under section 243 by an individual)...
4. For regulations 6 and 7 substitute— Application under section 243...
5. (1) Regulation 8 (matters relating to a section 243 application)...
6. (1) Regulation 9 (application under section 1088 to make an...
7. (1) Regulation 14 (appeals) is amended as follows.
8. In Schedule 1 (Specified Public Authorities)— (a) after “the Treasury;” insert...
9. In paragraph 4 of Part 1 of Schedule 2 (Conditions...

Explanatory Note