



# Companies Act 2006

## 2006 CHAPTER 46

### PART 25

#### COMPANY CHARGES

#### [<sup>F1</sup> CHAPTER A1

#### REGISTRATION OF COMPANY CHARGES

#### *The register*

#### [<sup>F1</sup> 859K] **Registration of enforcement of security**

- (1) Subsection (2) applies where a person—
  - (a) obtains an order for the appointment of a receiver or manager of a company's property or undertaking, or
  - (b) appoints such a receiver or manager under powers contained in an instrument.
- (2) The person must, within 7 days of the order or of the appointment under those powers—
  - (a) give notice to the registrar of that fact, and
  - (b) if the order was obtained, or the appointment made, by virtue of a registered charge held by the person give the registrar a notice containing—
    - (i) in the case of a charge created before 6th April 2013, the information specified in subsection (4);
    - (ii) in the case of a charge created on or after 6th April 2013, the unique reference code allocated to the charge.
- (3) Where a person appointed receiver or manager of a company's property or undertaking under powers contained in an instrument ceases to act as such a receiver or manager, the person must, on so ceasing—
  - (a) give notice to the registrar of that fact, and

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- (b) give the registrar a notice containing—
  - (i) in the case of a charge created before 6th April 2013, the information specified in subsection (4), or
  - (ii) in the case of a charge created on or after 6th April 2013, the unique reference code allocated to the charge.
- (4) The information referred to in subsections (2)(b)(i) and (3)(b)(i) is—
  - (a) the date of the creation of the charge;
  - (b) a description of the instrument (if any) creating or evidencing the charge;
  - (c) short particulars of the property or undertaking charged.
- (5) The registrar must include in the register—
  - (a) a fact of which notice is given under subsection (2)(a), and
  - (b) a fact of which notice is given under subsection (3)(a).
- (6) A person who makes default in complying with the requirements of subsections (2) or (3) of this section commits an offence.
- (7) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale and, for continued contravention, a daily default fine not exceeding one-tenth of level 3 on the standard scale.
- (8) This section applies only to a receiver or manager appointed—
  - (a) by a court in England and Wales or Northern Ireland, or
  - (b) under an instrument governed by the law of England and Wales or Northern Ireland.
- (9) This section does not apply to a receiver appointed under Chapter 2 of Part 3 of the Insolvency Act 1986 (receivers (Scotland))<sup>F2</sup>. ]

#### Textual Amendments

- F1** Pt. 25 Ch. A1 inserted (6.4.2013) by [The Companies Act 2006 \(Amendment of Part 25\) Regulations 2013 \(S.I. 2013/600\)](#), regs. 1, 2, [Sch. 1](#) (with reg. 6)
- F2** 1986 c.45.

#### Modifications etc. (not altering text)

- C1** Ss. 859A-859Q applied (with modifications) (6.4.2013) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) \(Amendment\) Regulations 2013 \(S.I. 2013/618\)](#), regs. 1(2), 2, [Sch.](#) (with reg. 8)
- C2** S. 859K power to apply (with or without modifications) conferred (31.1.2019) by [Technical and Further Education Act 2017 \(c. 19\)](#), ss. 8, 47(2); S.I. 2018/1161, reg. 3(a)
- C3** S. 859K modified (31.1.2019) by [The Further Education Bodies \(Insolvency\) Regulations 2019 \(S.I. 2019/138\)](#), regs. 1(1), [4\(1\)](#), 39(c) (with regs. 1(2), 3(c))

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act amendment to earlier affecting provision S.I. 1989/638, Sch. 4 by [S.I. 2024/410 Sch. 2 para. 1](#)
- Act amendment to earlier affecting provision S.I. 2008/373 reg. 11(1) by [S.I. 2013/1971 reg. 9\(a\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked (1.10.2013) without ever being in force by S.I. 2013/2224, reg. 2)
- Act amendment to earlier affecting provision S.I. 2008/373 reg. 3(4) by [S.I. 2013/1971 reg. 4](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked (1.10.2013) without ever being in force by S.I. 2013/2224, reg. 2)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 479A(2)(c)(zi) inserted by [S.I. 2019/177 reg. 4\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4 substituted by regs. 4, 4A immediately before IP completion day by S.I. 2019/1392, regs. 1(2), 4)
- s. 479B(a)(iii) amendment to earlier affecting provision S.I.2008/1991 reg.34 by [S.R. 2024/78 reg. 31\(4\)](#)
- s. 479B(a)(iii) amendment to earlier affecting provision S.I.2008/1991 reg.34A by [S.R. 2024/78 reg. 31\(5\)](#)
- s. 1087A-1807C applied by S.I. 2009/2436, Sch. 1 para. 20(1)(ca) (as substituted) by [S.I. 2024/410 Sch. 2 para. 5\(d\)\(ii\)](#)
- Sch. 10 para. 6(2D) inserted by [S.I. 2019/177 reg. 28\(e\)](#) (This amendment not applied to legislation.gov.uk. Reg. 28(e) omitted immediately before IP completion day by virtue of S.I. 2020/523, regs. 1(2), 14(e)(iv))
- Sch. 10 para. 7(2A) inserted by [S.I. 2019/177 reg. 29\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 29 substituted immediately before IP completion day by S.I. 2020/523, regs. 1(2), 14(f))