

**EXPLANATORY MEMORANDUM TO**  
**THE COMPANIES (FEES FOR INSPECTION OF COMPANY RECORDS)**  
**REGULATIONS 2008**

**2008 No. 3007**

**1.** This explanatory memorandum has been prepared by the Department for Business, Enterprise and Regulatory Reform and is laid before Parliament by Command of Her Majesty.

**2. Description**

This instrument prescribes the fees payable by a person who wishes to exercise a right under the Companies Act 2006 (“the Act”) to inspect certain records.

**3. Matters of special interest to the Joint Committee on Statutory Instruments**

None.

**4. Legislative Background**

4.1 This instrument replaces fees for the inspection of records prescribed in Schedule 2 to the Companies (Inspection and Copying of Registers, Indices and Documents) Regulations 1991 (SI 1991/1998) and in Schedule 2 to the Companies (Inspection and Copying of Registers, Indices and Documents) Regulations (Northern Ireland) 1993 (S.R. (N.I.) 1993 No.66).

4.2 The fee prescribed in these Regulations is the same fee as was prescribed for the inspection of certain other company records under the Act in the Companies (Fees for Inspection and Copying of Company Records) Regulations 2007 (S.I. 2007/2612) and the Companies (Fees for Inspection and Copying of Company Records) (No.2) Regulations 2007 (S.I. 2007/3535).

**5. Territorial Extent and Application**

This instrument applies to all of the United Kingdom.

**6. European Convention on Human Rights**

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

**7. Policy background**

The Act requires all companies to permit inspection of certain specified company records. The records for which there is a public right of access include the register of directors, register of secretaries and instruments creating charges and the register of

charges. This instrument sets the fee for inspecting these records. (The Act, like its predecessors, does not provide a right to be provided with copies of these records.) The main objective is to ensure that companies can recover the reasonable costs they incur when complying with statutory requirements to permit inspection of a record; this was also the objective of the 2007 Regulations which set fees for inspection and copying of other company records. A subsidiary objective is to avoid the complexity that would arise from having different fees applicable to the inspection of different records.

## **8. Impact**

8.1 An Impact Assessment has not been prepared for this instrument. This is because the fees are the same as those considered in the Impact Assessment for the Companies (Fees for Inspection and Copying of Company Records) Regulations 2007 (SI 2007/2612).

8.2 There is no impact on the public sector (except if a public sector body were to exercise its right to inspect these documents).

## **9. Contact**

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