

## SCHEDULE 1

### THE PERFORMANCE OF FUNCTIONS RELATING TO THE RECEIPT OF DOCUMENTS BY THE REGISTRAR AND THEIR REGISTRATION

#### PART 1

#### INTERPRETATION

##### **Enactments and legal entities**

1.—(1) In this Schedule the following meanings are given to the enactments referred to and, where relevant, to the legal entities created under them—

the “2000 Act” means the Limited Liability Partnerships Act 2000(1) and “limited liability partnership” means a body corporate incorporated under that Act,

the “LLP Regulations” means the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009(2),

the “OC Regulations” means the Overseas Companies Regulations 2009(3),

the “OC Charges Regulations” means the Overseas Companies (Execution of Documents and Registration of Charges) Regulations 2009(4).

(2) In paragraph 10(e) in Part 2 of this Schedule, a reference to an “overseas company” includes a reference to any credit or financial institution to which section 1050 of the 2006 Act applies.

(3) Words and expressions used in the enactments set out in sub-paragraph (1) have the same meaning when used in this Schedule as they have in those enactments.

##### **Meaning of “relevant documents”**

2.—(1) For the purposes of paragraphs 7(e), 9(b) and 10(e) a “relevant document” is any document required or authorised to be delivered to the registrar in respect of a company, limited liability partnership or overseas company, as the case may be, by or under any provision of—

- (a) the 2006 Act, or
- (b) the 2000 Act, or
- (c) the OC Regulations, or
- (d) the LLP Regulations,

other than a document specified in sub-paragraph (2) below.

(2) A document is not a relevant document if—

- (a) a fee is specified in this Schedule in relation to the registration of a document, or the performance by the registrar of a function, under any particular provision of the enactments listed in sub-paragraph (1) above; or
- (b) that document is required or authorised to be delivered to the registrar by or under an excluded provision; and, for these purposes, an excluded provision is any provision of the enactments listed in sub-paragraph (1) above which is specified in Part 3 of this Schedule.

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(1) 2000 c.12.  
(2) S.I. 2009/1804.  
(3) S.I. 2009/1801.  
(4) S.I. 2009/1917.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

### **Meaning of “relevant period”**

3.—(1) In this Schedule in relation to a company or a limited liability partnership a “relevant period” means one of the following periods—

- (a) the period beginning with its incorporation and ending immediately after the delivery to the registrar of its first annual return; or
- (b) a period beginning immediately after the delivery to the registrar of an annual return and ending immediately after the delivery to the registrar of the next annual return.

(2) In this Schedule in relation to an overseas company a “relevant period” means one of the following periods—

- (a) the period beginning with the registration of the documents required to be delivered to the registrar under Part 2 of the OC Regulations in respect of the opening of an establishment in the United Kingdom and ending immediately after the first delivery to the registrar of its accounting documents or, as the case may be, its annual accounts; or
- (b) a period beginning immediately after a delivery of accounting documents or annual accounts to the registrar and ending immediately after delivery to the registrar of the next accounting documents or annual accounts.

### **Meaning of “same day registration”**

4. For the purposes of this Schedule documents are delivered for “same day registration” if—

- (a) a request for same day registration and all documents required to be delivered to the registrar in connection with that registration are received by the registrar before 3.00 pm on the day in question; and
- (b) the registration is completed on that day.

### **General**

5. Where, in relation to any matter in respect of which a fee is payable under this Schedule, the means of delivery to the registrar of the documents required to be delivered in relation to that matter, or the form of those documents are not specified, that fee is payable only in respect of documents that are delivered in hard copy form.

6. Where, in relation to any matter in respect of which a fee is payable under this Schedule, no provision is made for same day registration of the documents required to be delivered to the registrar in relation to that matter, that fee is only payable in respect of the delivery of documents other than for same day registration.