

EXPLANATORY MEMORANDUM TO
THE COMPANIES (DISCLOSURE OF ADDRESS) (AMENDMENT)
REGULATIONS 2010

2010 No. 2156

1. This explanatory memorandum has been prepared by Defra and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 To amend the Companies (Disclosure of Address) Regulations 2009 by including the Marine Management Organisation in Schedule 1 to those Regulations. Schedule 1 specifies the public authorities to whom the registrar may disclose protected information in accordance with section 243 of the Companies Act 2006. For this purpose “protected information”, as defined by section 240(1) of that Act, means information as to the usual residential address of a company director who is an individual, or information that the service address of such a company director is his usual address

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

3.1 None.

4. Legislative Context

4.1 This instrument will allow the Marine Management Organisation to be able to access information on the residential address of directors of registered companies for the purpose of exercising their enforcement functions.

5. Territorial Extent and Application

5.1 This instrument extends to the whole 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

• *What is being done and why*

7.1 During the course of an investigation it came to light that the list of Public Authorities in Schedule 1 to the Companies (Disclosure of Address) Regulations 2009 did not include the Marine Management Organisation and therefore they could not access certain personal information held by the Companies registrar needed to carry

out investigations of possible breaches of legislation which they are responsible for enforcing. This amendment addresses this and adds them to Schedule 1 to the Regulations.

8. Consultation outcome

8.1 Not applicable.

9. Guidance

9.1 Not relevant.

10. Impact

10.1 An impact assessment has not been produced for this instrument, as no impact on the private, voluntary or public sector is foreseen

11. Regulating small business

11.1 The legislation does not apply to small businesses.

12. Monitoring & review

12.1 Not relevant.

13. Contact

Julie Fitton at the Department for Environment, Food & Rural Affairs Tel: 0207 238 4435 or email: Julie.fitton@defra.gsi.gov.uk can answer any queries regarding the instrument.