
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Article 30 (beneficial ownership information) of Council [Directive 2015/849/EU](#) of the European Parliament and of the Council of 20 May 2015 (OJ No L 141, 5.6.2015, p73) (“the Directive”) on the prevention of money laundering and terrorist financing, in relation to companies, including unregistered companies, and limited liability partnerships (“LLPs”).

Existing national measures partially implement Article 30 of the Directive. These are Part 21A of the Companies Act 2006 and the Register of People with Significant Control Regulations 2016 (“the PSC regulations”) for companies. The provisions of Part 21A are applied to and modified for LLPs in the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 ([S.I. 2009/1804](#)), as are the PSC Regulations in the Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016 ([S.I. 2016/340](#)), and for European public limited-liability companies or Societas Europaea (“SEs”) in the European Public Limited-Liability Company (Register of People with Significant Control) Regulations 2016 ([S.I. 2016/375](#)) and the European Public Limited-Liability Company Regulations 2004 ([S.I. 2004/2326](#)).

These Regulations modify and extend the existing national measures to complete the UK’s transposition of the Directive in relation to these legal entities.

Part 1 (amendments in relation to companies) amends the Companies Act 2006 and the PSC regulations to complete the implementation of Article 30. Regulations 5 and 6 widen the scope of companies required to comply with Part 21A of the Companies Act 2006. Regulations 7 to 9 insert 14 day time limits for companies to comply with the duties to keep information up to date, enter required particulars and additional matters in the company’s PSC register, and give notice to the registrar of changes to the company’s PSC register. Regulations 16 to 19 amend the PSC Regulations to provide for the disclosure of secured information to a credit institution or a financial institution.

Part 2 (amendments in relation to LLPs) amends the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 and Schedule 2 to the Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016 to apply and modify the amendments in Part 1 to LLPs.

Part 3 (amendments in relation to unregistered companies) applies the existing measures, as amended, to unregistered companies.

Part 4 makes consequential amendments and introduces transitional arrangements which are found in the Schedule.

No specific modifications are required to apply the amendments to the existing national measures to SEs.

Regulations 24(3)(a) to (c), 27 and 37(a) correct minor discrepancies which have come to light during the review of existing national measures.

The Scottish Partnerships (Register of People with Significant Control) Regulations 2017 ([S.I. 2017/694](#)) transpose Article 30 of the Directive for Scottish limited partnerships and certain Scottish general partnerships.

HM Treasury have overall responsibility for the transposition of the Directive, and a transposition note setting out how the Directive will be transposed into UK law is available from the Financial Services Team, HM Treasury, 1 Horse Guards Road, London SW1A 2HQ.

Status: *This is the original version (as it was originally made).*

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Department for Business, Energy and Industrial Strategy and Skills, 1 Victoria Street, London SW1H 0ET and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.