
STATUTORY INSTRUMENTS

2017 No. 693

The Information about People with Significant Control (Amendment) Regulations 2017

PART 4

Amendments in relation to unregistered companies

Amendment of Schedule 1 to the Unregistered Companies Regulations 2009

32. Schedule 1 to the Unregistered Companies Regulations 2009 is amended in accordance with regulations 33 to 36.

33. After paragraph 12 insert—

“Information about people with significant control

12A.—(1) Sections 790C to 790K of the Companies Act 2006 apply to unregistered companies, with the following modifications.

(2) In section 790C(1) (key terms)—

(a) for subsection (7)(c) substitute—

“(c) it is a company with voting shares admitted to trading on a market listed in Schedule 1 to the Register of People with Significant Control Regulations 2016 ([S.I. 2016/339](#))”;

(b) for subsection (7)(d) substitute—

“(d) it is of a description specified in regulation 4 of and Schedule 1 to the Register of People with Significant Control Regulations 2016 ([S.I. 2016/339](#)) which apply, together with any other provisions of those Regulations having effect for the purposes of these provisions.”;

(c) omit subsections (11), (13) and (14).

(3) In section 790D (company’s duty to investigate and obtain information)—

(a) omit subsection (9);

(b) omit subsection (10).

(4) In section 790E (company’s duty to keep information up-to-date) in subsection (7) for “subsections (8) to (10)” substitute “subsection (8)”.

(5) In section 790K (required particulars)—

(a) for subsection (5) substitute—

(1) Subsection (7) was amended by regulation 78 of the Scottish Partnerships (Register of People with Significant Control) Regulations 2017 ([S.I. 2017/694](#)).

“(5) Regulation 7 of and Schedule 2 to the Register of People with Significant Control Regulations 2016 ([S.I. 2016/339](#)) apply, with any other provisions of the Regulations having effect for the purposes of these provisions.”;

(b) omit subsection (6).

12B.—(1) Sections 790M to 790VA of the Companies Act 2006 apply to unregistered companies, with the following modifications.

(2) In section 790M (duty to keep register)—

(a) for subsection (7) substitute—

“(7) Part 4 of the Register of People with Significant Control Regulations 2016 ([S.I. 2016/339](#)) applies, with any other provisions of the Regulations having effect for the purposes of that Part.”;

(b) omit subsection (8).

(3) In section 790O(2) for “on payment of such fee as may be prescribed” substitute “on payment of the fee prescribed in regulation 6 of the Register of People with Significant Control Regulations 2016 ([S.I. 2016/339](#))”.

(4) In section 790VA (notification of changes to the registrar) omit subsection (4).

12C.—(1) Sections 790ZF and 790ZG apply to unregistered companies, with the following modifications.

(2) In section 790ZF—

(a) in subsection (1) for “sections 240 to 244” substitute “sections 240 to 242, 243(1), (2), and (7)”;

(b) in subsection (3) for “regulations made under section 790ZG” substitute “Part 7 of the PSC Regulations”;

(c) after subsection (3) insert—

“(4) Part 6 of the Register of People with Significant Control Regulations 2016 ([S.I. 2016/339](#)) applies, with any other provisions of the Regulations having effect for the purposes of that Part.”

(3) For Section 790ZG as it applies to unregistered companies, substitute—

“790ZG 790ZG Protection of secured information

(1) Part 7 of the Register of People with Significant Control Regulations 2016 ([S.I. 2016/339](#)) applies, with any other provisions of the Regulations having effect for the purposes of that Part.

(2) Nothing in the provisions referred to in subsection (1) affects the use or disclosure of particulars of a person in any other capacity (for example, the use or disclosure of particulars of a person in that person’s capacity as a member or director of the company).

(3) In this section “secured information” means the required particulars (other than the particular required by section 790K(1)(i)) of a registrable person in relation to an unregistered company.”

34. In paragraph 13(1), for “853G” substitute “853H”.

35. In paragraph 20—

(a) in sub-paragraph (2), after paragraph (c), insert—

“(ca) for paragraph (bc) substitute—

“(bc) information which by virtue of Part 7 (secured information) of the Register of People with Significant Control Regulations 2016 ([S.I. 2016/339](#)) the registrar must omit from the material on the public register that is available for inspection;”

(b) after sub-paragraph (2) insert—

“(2A) In section 1087B for sub-paragraph (3) substitute “The provisions of the Companies (Disclosure of Date of Birth Information) Regulations 2015 ([S.I. 2015/1694](#)) apply.”

36. After paragraph 20 insert—

“20A.—(1) Schedule 1A (references to people with significant control over a company) to the Companies Act 2006 applies to unregistered companies, with the following modifications.

(2) In paragraph 25—

(a) in sub-paragraph (5)(b) for “by regulations made by the Secretary of State” substitute “in regulation 8 of the Register of People with Significant Control Regulations 2016 ([S.I. 2016/339](#))”, and

(b) omit sub-paragraphs (6) and (7).

(3) Omit paragraph 26.

20B.—(1) Schedule 1B (enforcement of disclosure requirements) to the Companies Act 2006 applies to unregistered companies, with the following modifications.

(2) For paragraph 12 substitute—

“12. Part 5 of the Register of People with Significant Control Regulations 2016([S.I. 2016/339](#)) applies, with any other provisions of the Regulations having effect for the purposes of that Part.”

Commencement Information

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| I1 | Reg. 32 in force at 26.6.2017, see reg. 2 |
| I2 | Reg. 33 in force at 26.6.2017, see reg. 2 |
| I3 | Reg. 34 in force at 26.6.2017, see reg. 2 |
| I4 | Reg. 35 in force at 26.6.2017, see reg. 2 |
| I5 | Reg. 36 in force at 26.6.2017, see reg. 2 |

Changes to legislation:

There are currently no known outstanding effects for the The Information about People with Significant Control (Amendment) Regulations 2017, PART 4.