

## SCHEDULE 4

### Transitional provisions

#### Part 2

##### Transitional provisions relating to Schedule 2

###### **Overseas Companies Regulations 2009**

4.—(1) This paragraph applies to an overseas company that has a UK establishment immediately before exit day.

(2) If there are additional registrable particulars in respect of that establishment, the company must, within the period of three months beginning on exit day, deliver to the registrar a return containing those particulars.

(3) The requirement in sub-paragraph (2) is to be treated, for the purposes of Part 2 of the Overseas Companies Regulations 2009, as a requirement of that Part.

(4) The amendments made by paragraph 6 of Schedule 2 do not apply to the company until three months after exit day.

(5) In this paragraph—

“Additional registrable particulars” means such particulars as the company would be required to provide in a return under regulation 6 of the Overseas Companies Regulations 2009 were the company opening the establishment on the date of the return, to the extent that the company was not required already to deliver a return to the registrar containing those particulars before exit day;

“UK establishment” has the same meaning as it has in the Overseas Companies Regulations 2009.

###### **Permitted disclosure to credit reference agencies, credit institutions and financial institutions**

5.—(1) This paragraph applies to a credit reference agency, credit institution or financial institution that had, before exit day, delivered to the registrar a statement that it met the conditions for permitted disclosure in accordance with a permitted disclosure provision.

(2) For the period of one year beginning on exit day—

(a) the amendments made by these Regulations to the permitted disclosure provisions do not affect the disclosure by the registrar of protected information to the credit reference agency, credit institution or financial institution;

(b) the permitted disclosure provisions have effect, in relation to a credit reference agency, credit institution or financial institution, as they did immediately before exit day and for the purposes of this sub-paragraph the United Kingdom must be treated as if it were an EEA State and within the European Economic Area.

(3) In this paragraph—

“the permitted disclosure provisions” are—

(a) Schedule 2 to the Overseas Companies Regulations 2009;

(b) Schedule 2 to the Companies (Disclosure of Address) Regulations 2009;

(c) Schedule 2 to the Companies (Disclosure of Date of Birth Information) Regulations 2015;

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Companies, Limited Liability Partnerships and Partnerships (Amendment etc.) (EU Exit) Regulations 2019 No. 348*

- (d) Schedule 4 to the Register of People with Significant Control Regulations 2016; and
  - (e) Schedule 5 to the Scottish Partnerships (Register of People with Significant Control) Regulations 2017;
- “credit institution”, “credit reference agency” and “financial institution” have the same meanings as they have in the permitted disclosure provisions.

### **Interpretation**

6. Except where the contrary intention appears, expressions used in this Schedule have the same meanings as they have in the Act.