



Economic Crime (Transparency and Enforcement) Act 2022

2022 CHAPTER 10

PART 1

REGISTRATION OF OVERSEAS ENTITIES

Interpretation

44 Interpretation

(1) In this Part—

“beneficial owner”, in relation to an overseas entity, has the meaning given by Part 2 of Schedule 2;

[^{F1}“the Companies Acts” has the meaning given by section 2(1) of the Companies Act 2006;]

“the court” has the same meaning as in the Companies Acts (see section 1156 of the Companies Act 2006);

“document” means information in any recorded form [^{F2}and references to delivering a document are to be read in accordance with section 1114(1)(b) of the Companies Act 2006];

“government or public authority” means—

- (a) a corporation sole;
- (b) a government or government department of a country or territory or a part of a country or territory;
- (c) an international organisation whose members include two or more countries or territories (or their governments);
- (d) a local authority or local government body in the United Kingdom or elsewhere;
- (e) any other public authority in the United Kingdom or elsewhere;

“legal entity” has the meaning given by section 2;

Changes to legislation: There are currently no known outstanding effects for the Economic Crime (Transparency and Enforcement) Act 2022, Cross Heading: Interpretation. (See end of Document for details)

“managing officer”, in relation to an overseas entity, includes a director, manager or secretary;

“overseas entity” has the meaning given by section 2;

“register” means the register kept under section 3;

“registered”: an overseas entity is registered if its name appears in the list of registered overseas entities kept in accordance with section 3(3);

“registrable beneficial owner”, in relation to an overseas entity, has the meaning given by Schedule 2;

“the registrar” has the meaning given by section 3(1).

[^{F1}“service address” has the same meaning as in the Companies Acts (see section 1141(1) and (2) of the Companies Act 2006).]

- (2) [^{F3}A reference in section 12 or 13 to a person who is a registrable beneficial owner of an overseas entity includes, in connection with the obtaining of information required by section 7(1)(b), 9(1)(c), 41(3)(b) or 42(1)(c)(i), a reference to a person who has ceased to be a registrable beneficial owner.]
- (3) A reference in this Part to a trust includes arrangements, under the law of a country or territory outside the United Kingdom, that are of a similar character to a trust, and any related expressions are to be read accordingly.
- (4) The Secretary of State may by regulations make provision specifying descriptions of arrangements that are, or are not, to be treated as being of a similar character to a trust for the purposes of subsection (3).
- (5) Regulations under subsection (4) are subject to the negative resolution procedure.

Textual Amendments

- F1** Words in s. 44 inserted (26.10.2023 for specified purposes) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), **ss. 176**, 219(1)(2)(b)
- F2** Words in s. 44(1) inserted (26.10.2023 for specified purposes) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(1)(2)(b), **Sch. 3 para. 6**
- F3** S. 44(2) omitted (26.10.2023 for specified purposes) by virtue of [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(1)(2)(b), **Sch. 6 para. 8**

Commencement Information

- I1** S. 44 not in force at Royal Assent, see **s. 69**
- I2** S. 44 in force at 1.8.2022 for specified purposes by [S.I. 2022/876](#), **reg. 3(n)**
- I3** S. 44 in force at 12.10.2022 in so far as not already in force by [S.I. 2022/1039](#), **reg. 2(a)**

Changes to legislation:

There are currently no known outstanding effects for the Economic Crime (Transparency and Enforcement) Act 2022, Cross Heading: Interpretation.