

Status: Point in time view as at 04/03/2024.

Changes to legislation: There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, PART 3. (See end of Document for details)

SCHEDULES

SCHEDULE 2

ABOLITION OF CERTAIN LOCAL REGISTERS

PART 3

REGISTER OF PEOPLE WITH SIGNIFICANT CONTROL

7 The Companies Act 2006 is amended as follows.

Commencement Information

- I1** Sch. 2 para. 7 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)
I2 [Sch. 2 para. 7](#) in force at 4.3.2024 for specified purposes by [S.I. 2024/269, reg. 2\(z10\)](#)

8 In section 790A (overview of Part)—

- (a) in paragraph (b), for “keep the register required by Chapter 3” substitute “notify the registrar of the information in accordance with Chapter 2A”;
- (b) for paragraphs (c) and (d) substitute—
 - “(c) Chapter 2A requires companies to notify the registrar of information relating to persons with significant control;”.

Commencement Information

- I3** Sch. 2 para. 8 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)
I4 [Sch. 2 para. 8](#) in force at 4.3.2024 for specified purposes by [S.I. 2024/269, reg. 2\(z10\)](#)

9 In section 790C (key terms), omit subsection (10).

Commencement Information

- I5** Sch. 2 para. 9 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)
I6 [Sch. 2 para. 9](#) in force at 4.3.2024 for specified purposes by [S.I. 2024/269, reg. 2\(z10\)](#)

10 After section 790C insert—

“790CA References to “confirmation” etc of information

For the purposes of this Part a company has had confirmation of—

- (a) a person’s status as a registrable person or a registrable relevant legal entity in relation to the company,
- (b) the required particulars of a person (see section 790K), or
- (c) any other information about a person,

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if the person has supplied that information to the company whether or not in pursuance of any duty imposed by this Part (and references to a company obtaining confirmation of information are to be read accordingly).”

Commencement Information

- I7** Sch. 2 para. 10 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)
I8 Sch. 2 para. 10 in force at 4.3.2024 for specified purposes by [S.I. 2024/269](#), [reg. 2\(z10\)](#)

11 For sections 790D and 790E substitute—

“790CB Duty to find out about persons with significant control

A company to which this Part applies must take reasonable steps to find out if there is anyone who is a registrable person or a registrable relevant legal entity in relation to the company and, if so, to identify them.

790D Company’s duty to give notices to persons with significant control

- (1) A company to which this Part applies must give a notice to a person under this section if—
 - (a) the company knows or has cause to believe that the person is a registrable person or a registrable relevant legal entity in relation to the company, but
 - (b) the company has not had confirmation of the person’s status as a registrable person or registrable relevant legal entity or has not had confirmation of all of the required particulars of the person (see section 790K).
- (2) The notice must require the person—
 - (a) to inform the company whether the person is a registrable person or a registrable relevant legal entity in relation to the company, and
 - (b) if they are, to give the company all of the required particulars of the person (see section 790K).
- (3) The notice must require the person to whom it is given to comply with the notice by no later than the end of the period of one month beginning with the day on which it is given.
- (4) The company must give the notice—
 - (a) as soon as reasonably practicable after the company becomes subject to the duty to give a notice under this section, and
 - (b) in any event before the end of the period of 14 days beginning with the day on which the company becomes so subject.
- (5) A company is not required to give a notice under this section to a person if—
 - (a) the application for the registration of the company contained a statement of initial significant control naming the person as someone who would, on the company’s incorporation, become a registrable person or a registrable relevant legal entity in relation to the company, and

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- (b) the company has no cause to believe that at any time since its incorporation the person has ceased to be a registrable person or a registrable relevant legal entity in relation to the company.
- (6) The Secretary of State may by regulations make further provision about the giving of notices under this section, including provision about their form and content and the manner in which they must be given.
- (7) Regulations under subsection (6) are subject to negative resolution procedure.

790DA Obtaining information from third parties

- (1) A company to which this Part applies may give a notice to a person under this section if it knows or has cause to believe that the person—
 - (a) knows the identity of someone who falls within subsection (2), or
 - (b) knows the identity of someone likely to have that knowledge.
- (2) The persons who fall within this subsection are—
 - (a) a registrable person in relation to the company;
 - (b) a relevant legal entity in relation to the company;
 - (c) an entity which would be a relevant legal entity in relation to the company but for the fact that section 790C(6)(b) does not apply in respect of it.
- (3) A company must give a notice under subsection (1) to a person (“a third party”) if the company—
 - (a) knows or has cause to believe that a person is a registrable person or a registrable relevant legal entity in relation to the company (“a suspected PSC”),
 - (b) is under a duty to give the suspected PSC a notice under section 790D but does not have the information that it needs in order to contact them, and
 - (c) knows or has cause to believe that the third party—
 - (i) knows the identity of the suspected PSC, or
 - (ii) knows the identity of someone likely to have that knowledge.
- (4) A notice under subsection (1) must require the person to whom it is given (“the recipient”)—
 - (a) to inform the company whether the recipient knows the identity of any person who—
 - (i) falls within subsection (2), or
 - (ii) is likely to know the identity of anyone who falls within subsection (2), and
 - (b) if the recipient does, to give the company any information within the recipient’s knowledge that would allow the company to contact each such person.
- (5) The notice must require the person to whom it is given to comply with the notice by no later than the end of the period of one month beginning with the day on which it is given.

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- (6) A person to whom a notice under subsection (1) is given is not required by that notice to disclose any information in respect of which a claim to legal professional privilege (in Scotland, to confidentiality of communications) could be maintained in legal proceedings.
- (7) The Secretary of State may by regulations make further provision about the giving of notices under this section, including provision about their form and content and the manner in which they must be given.
- (8) Regulations under subsection (7) are subject to negative resolution procedure.
- (9) In this section a reference to knowing the identity of a person includes knowing information from which that person can be identified.

790E Company's duty to find out about changes in PSC information

- (1) This section applies if a company—
 - (a) knows or has cause to believe that there has been a change in the required particulars of a registrable person or a registrable relevant legal entity in relation to the company (see section 790K), but
 - (b) has not had confirmation that the change has occurred or has not had confirmation of all of the information that the company would need to include in a notice of the change under section 790LD(1) or 790LE(1).
- (2) The company must give the person a notice requiring the person—
 - (a) to inform the company whether the change has occurred, and
 - (b) if it has, to give the company the information that the company would need to include in a notice of the change under section 790LD(1) or 790LE(1).
- (3) The notice must require the person to whom it is given to comply with the notice by no later than the end of the period of one month beginning with the day on which it is given.
- (4) The company must give the notice—
 - (a) as soon as reasonably practicable after the company becomes subject to the duty to give a notice under subsection (2), and
 - (b) in any event before the end of the period of 14 days beginning with the day on which the company becomes so subject.
- (5) The Secretary of State may by regulations make further provision about the giving of notices under this section, including provision about their form and content and the manner in which they must be given.
- (6) Regulations under subsection (5) are subject to negative resolution procedure.

790EA Company's duty to find out about persons ceasing to be PSCs

- (1) This section applies if a company —

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- (a) knows or has cause to believe that a person has ceased to be a registrable person or a registrable relevant legal entity in relation to the company, but
 - (b) has not had confirmation that the person has ceased to be a registrable person or a registrable relevant legal entity in relation to the company or has not had confirmation of the date on which the person so ceased.
- (2) The company must give the person a notice requiring the person—
 - (a) to inform the company whether the person has ceased to be a registrable person or a registrable relevant legal entity in relation to the company, and
 - (b) if the person has, to inform the company of the date on which the person so ceased.
- (3) The notice must require the person to whom it is given to comply with the notice by no later than the end of the period of one month beginning with the day on which it is given.
- (4) The company must give the notice—
 - (a) as soon as reasonably practicable after the company becomes subject to the duty under subsection (2), and
 - (b) in any event before the end of the period of 14 days beginning with the day on which the company becomes so subject.
- (5) The Secretary of State may by regulations make further provision about the giving of notices under this section, including provision about their form and content and the manner in which they must be given.
- (6) Regulations under subsection (5) are subject to negative resolution procedure.

790EB Company's duty to notify failure to comply with notices

- (1) A company must notify the registrar if a person fails to comply with a notice given by the company under section 790D, 790DA, 790E or 790EA within the period specified in it.
- (2) The notice must be given within the period of 14 days beginning with the end of the period specified in the notice under section 790D, 790DA, 790E or 790EA.

790EC Company's duty to notify of late compliance with notices

- (1) A company must notify the registrar if a person who has failed to comply with a notice given by the company under section 790D, 790DA, 790E or 790EA within the period specified in it subsequently complies.
- (2) The notice must be given within the period of 14 days beginning with the day on which the person complied with the notice under section 790D, 790DA, 790E or 790EA.”

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Commencement Information

- I9** Sch. 2 para. 11 in force at Royal Assent for specified purposes, see **s. 219(1)(2)(b)**
I10 Sch. 2 para. 11 in force at 4.3.2024 for specified purposes by **S.I. 2024/269, reg. 2(z10)**

- 11 In section 790F (failure by company to comply with information duties), for subsection (1) substitute—

“(1) If a company fails, without reasonable excuse, to comply with a duty under section 790CB, 790D, 790DA(3), 790E, 790EA, 790EB or 790EC to take steps or give a notice, an offence is committed by—

- (a) the company, and
- (b) every officer of the company who is in default.”

Commencement Information

- I10** Sch. 2 para. 11 in force at 4.3.2024 for specified purposes by **S.I. 2024/269, reg. 2(z10)**
I11 Sch. 2 para. 11 in force at Royal Assent for specified purposes, see **s. 219(1)(2)(b)**

- 12 For sections 790G and 790H substitute—

“790G Duty to notify company on becoming PSC

- (1) This section applies to a person if—
 - (a) the person knows that they are a registrable person or a registrable relevant legal entity in relation to a company,
 - (b) the material in the register that is available for public inspection does not indicate the person’s status as a registrable person or registrable relevant legal entity in relation to the company, and
 - (c) the person—
 - (i) has not informed the company of the person’s status as a registrable person or registrable relevant legal entity in relation to the company, or
 - (ii) has not given the company all of the required particulars of the person (see section 790K).
- (2) The person must—
 - (a) inform the company of the person’s status as a registrable person or registrable relevant legal entity in relation to the company, and
 - (b) give the company the required particulars (see section 790K).
- (3) The person must comply with the duty in subsection (2) before the end of the period of one month beginning with the day on which the conditions in subsection (1) are met.

790H Duty to notify company of changes in PSC information

- (1) This section applies to a person if—
 - (a) the person knows that they are a registrable person or a registrable relevant legal entity in relation to a company,

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- (b) there has been a change in the required particulars of the person (see section 790K) and the person knows that to be the case, and
 - (c) the person has not informed the company of the change or has not given the company all of the information that the company would need to include in a notice of the change under section 790LD(1) or 790LE(1).
- (2) The person must—
- (a) inform the company of the change, and
 - (b) give the company the information that the company would need to include in a notice of the change under section 790LD(1) or 790LE(1).
- (3) The person must comply with the duty in subsection (2) before the end of the period of one month beginning with the day on which the conditions in subsection (1) are met.

790HA Duty to notify company of ceasing to be a PSC

- (1) This section applies to a person if—
- (a) the person knows that they have ceased to be a registrable person or a registrable relevant legal entity in relation to a company,
 - (b) the material in the register that is available for public inspection does not indicate the person as having ceased to be a registrable person or a registrable relevant legal entity in relation to a company, and
 - (c) the person has not informed the company of having ceased to be a registrable person or a registrable relevant legal entity in relation to the company or has not informed the company of the date on which the person so ceased.
- (2) The person must inform the company—
- (a) that the person has ceased to be a registrable person or a registrable relevant legal entity in relation to the company, and
 - (b) of the date on which the person so ceased.
- (3) The person must comply with the duty in subsection (2) before the end of the period of one month beginning with the day on which the conditions in subsection (1) are met.”

Commencement Information

I12 Sch. 2 para. 12 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)

I13 [Sch. 2 para. 12](#) in force at 4.3.2024 for specified purposes by [S.I. 2024/269](#), [reg. 2\(z10\)](#)

- 13 In section 790I (enforcement of disclosure requirements), for the words from “a notice” to the end substitute “—
- (a) a notice under section [790D](#), [790DA](#), [790E](#) or [790EA](#), or
 - (b) a duty under section [790G](#), [790H](#) or [790HA](#).”

Commencement Information

I14 Sch. 2 para. 13 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)

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I15 Sch. 2 para. 13 in force at 4.3.2024 for specified purposes by S.I. 2024/269, reg. 2(z10)

14 After section 790I insert—

“Power to impose further duties

790IA Power to impose further duties involving nominee shareholders

- (1) The Secretary of State may by regulations make further provision for the purpose of enabling a company to which this Part applies to find out about anyone who has become or ceased to be a person who is—
 - (a) a registrable person in relation to the company by virtue of shares being held by a nominee, or
 - (b) a registrable relevant legal entity in relation to the company by virtue of shares being held by a nominee.
- (2) The regulations may, in particular—
 - (a) impose obligations on a company with a view to obtaining—
 - (i) information about whether a person has become or ceased to be a nominee shareholder;
 - (ii) if they have, information about: (A) the shareholding; (B) the nominee; (C) the person for whom the nominee holds or held the shares;
 - (iii) any other information required by the regulations;
 - (b) impose obligations on others (including nominees or former nominees) with a view to providing the company with—
 - (i) information of a kind described in paragraph (a)(i) or (ii);
 - (ii) any other information required by the regulations.
- (3) The regulations may, in particular, make provision similar or corresponding to any of the preceding provisions of this Chapter.
- (4) The provision that may be made by regulations under subsection (1) includes provision amending this Chapter.
- (5) Regulations under this section are subject to affirmative resolution procedure.”

Commencement Information

I16 Sch. 2 para. 14 in force at Royal Assent for specified purposes, see s. 219(1)(2)(b)

I17 Sch. 2 para. 14 in force at 4.3.2024 for specified purposes by S.I. 2024/269, reg. 2(z10)

15 In section 790J (power to make exemptions)—

- (a) in subsection (2)(a), for “790D(2) or 790E” substitute “790D, 790E or 790EA”;
- (b) in subsection (2)(c), for “790D(5)” substitute “790DA”;
- (c) in subsection (2)(d), for “and 790H” substitute “, 790H and 790HA”;
- (d) in subsection (2)(e) for “section 790M” substitute “any of sections 12A, 790LA, 790LC, 790LD, 790LE, 790LF, 790LG, 790LH”.

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Commencement Information

I18 Sch. 2 para. 15 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)

I19 [Sch. 2 para. 15](#) in force at 4.3.2024 for specified purposes by [S.I. 2024/269](#), [reg. 2\(z10\)](#)

- 16 (1) Section 790K (required particulars) is amended as follows.
- (2) In subsection (1), omit paragraph (i) and the “and” before it.
- (3) In subsection (2), after paragraph (b) insert—
“(ba) a service address,”.
- (4) In subsection (3)—
(a) in paragraph (b), omit “registered or”;
(b) after paragraph (b) insert—
“(ba) a service address,”.
- (5) For subsection (4) substitute—
“(4) In this section “name”, in relation to an individual, means the individual’s forename and surname.
- (4A) Where an individual is a peer or an individual usually known by a title, any requirement imposed by this Act to provide the individual’s name because it forms part of the required particulars under this section may be satisfied by providing that title instead of the individual’s forename and surname.”

Commencement Information

I20 Sch. 2 para. 16 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)

I21 [Sch. 2 para. 16](#) in force at 4.3.2024 for specified purposes by [S.I. 2024/269](#), [reg. 2\(z10\)](#)

- 17 In section 790L (required particulars: power to amend), for subsection (1) substitute—
“(1) The Secretary of State may by regulations—
(a) amend section 790K so as to change the “required particulars” in relation to—
(i) an individual who is a registrable person;
(ii) a person in relation to which this Part has effect by virtue of section 790C(12) as if the person were an individual;
(iii) a registrable relevant legal entity;
(b) repeal section 790K(4A).”

Commencement Information

I22 Sch. 2 para. 17 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)

I23 [Sch. 2 para. 17](#) in force at 4.3.2024 for specified purposes by [S.I. 2024/269](#), [reg. 2\(z10\)](#)

- 18 After section 790L insert—

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“CHAPTER 2A

DUTY TO NOTIFY REGISTRAR OF PERSONS WITH SIGNIFICANT CONTROL AND ID VERIFICATION

Duty to notify registrar of persons with significant control

790LA Duty to notify registrar of confirmed persons with significant control

- (1) A company must give a notice to the registrar if it has had confirmation of—
 - (a) a person’s status as a registrable person or a registrable relevant legal entity in relation to the company, and
 - (b) the required particulars of the person (see section 790K).
- (2) A notice under subsection (1) must contain a statement of the required particulars.
- (3) A notice under subsection (1) must be given within the period of 14 days beginning with the day on which the company had confirmation as mentioned in that subsection.
- (4) A company is not required to give a notice under this section in relation to a person if—
 - (a) the application for the registration of the company contained a statement of initial significant control naming the person as someone who would, on the company’s incorporation, become a registrable person or a registrable relevant legal entity in relation to the company, and
 - (b) the company has no cause to believe that at any time since its incorporation the person has ceased to be a registrable person or a registrable relevant legal entity in relation to the company.
- (5) Nothing in section 126 (notice of trusts not receivable by registrar) affects the duty to give a notice under this section (or the receipt of that notice by the registrar).

790LB Option to provide ID verification information in notice of change

- (1) A notice under section 790LA(1) that relates to a registrable person may include a statement that the person’s identity is verified (see section 1110A).
- (2) A notice under section 790LA(1) that relates to a registrable relevant legal entity may include a statement that—
 - (a) specifies the name of one of its relevant officers (within the meaning given by section 790LO(6)) who is an individual and whose identity is verified, and
 - (b) confirms that the individual’s identity is verified.
- (3) If the notice includes a statement under subsection (2), it must be accompanied by a statement by the individual confirming that the individual is a relevant officer of the registrable relevant legal entity.

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- (4) To find out what happens if the option in subsection (1) or (2) is not exercised, see sections 790LM and 790LO.
- (5) In subsection (1) “registrable person” does not include a person mentioned in section 790C(12)(a) to (d).

790LC Duty to notify registrar of unconfirmed persons with significant control

- (1) A company must give a notice to the registrar if—
 - (a) it knows or has cause to believe that a person has become a registrable person or a registrable relevant legal entity in relation to the company, but
 - (b) it has not yet had confirmation as mentioned in section 790LA(1).
- (2) The notice must state that fact.
- (3) A notice under subsection (1) must be given within the period of 14 days beginning with the day on which the company first knows or has cause to believe that the person has become a registrable person or a registrable relevant legal entity in relation to the company.
- (4) Nothing in this section requires a company, on its incorporation, to give a notice in relation to a person included in the statement of initial significant control under section 12A.

Duty to notify registrar of changes in required particulars

790LD Duties to notify of changes in required particulars

- (1) A company must give a notice to the registrar if it—
 - (a) has had confirmation that there has been a change in the required particulars of a registrable person, or a registrable relevant legal entity, in relation to the company (see section 790K), and
 - (b) has had confirmation of how the required particulars have changed and the date on which they changed.
- (2) The notice must state—
 - (a) the change in the required particulars, and
 - (b) the date on which the change occurred.
- (3) A notice under subsection (1) must be given within the period of 14 days beginning with the day on which the company had confirmation as mentioned in that subsection.
- (4) Nothing in section 126 (notice of trusts not receivable by registrar) affects the duty to give a notice under this section (or the receipt of that notice by the registrar).

790LE Duty to notify of pre-incorporation changes in required particulars

- (1) A company must give a notice to the registrar if it—

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- (a) has had confirmation that there was a pre-incorporation change in the required particulars of a proposed PSC (see section 790K), and
 - (b) has had confirmation of how the required particulars have changed and the date on which they changed.
- (2) But a company is not required to give a notice under subsection (1) in respect of a person if it has given a notice under section 790LG in respect of the person.
- (3) A notice under subsection (1) must state—
- (a) the change in the required particulars, and
 - (b) the date on which the change occurred.
- (4) A notice under subsection (1) must be given within the period of 14 days beginning with the day on which the company had confirmation as mentioned in that subsection.
- (5) In this section—
- “pre-incorporation change” means a change that occurred—
 - (a) after the application for the registration of the company was delivered to the registrar, but
 - (b) before the company was incorporated;
 - “proposed PSC”, in relation to a company, means a person who was named in a statement under section 12A(1)(a) as a person who would, on the company’s incorporation, become a registrable person or registrable relevant legal entity in relation to the company.

Duty to notify registrar of person ceasing to be person with significant control etc

790LF Duty to notify registrar when person ceases to have significant control

- (1) A company must give a notice to the registrar if it—
- (a) has had confirmation that a person has ceased to be a registrable person or a registrable relevant legal entity in relation to it, and
 - (b) has had confirmation of the date on which the person so ceased.
- (2) A notice under subsection (1) must state—
- (a) the person’s name and service address, and
 - (b) the date on which the person ceased to be a registrable person or a registrable relevant legal entity in relation to the company.
- (3) A notice under subsection (1) must be given within the period of 14 days beginning with the day on which the company had confirmation as mentioned in that subsection.

790LG Notification of someone not becoming person with significant control on incorporation

- (1) A company must give a notice to the registrar if it knows that a person named in the statement under section 12A(1)(a) as a person who would, on the company’s incorporation, become a registrable person or a registrable relevant legal entity did not so become.

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- (2) A notice under subsection (1) must be given within the period of 14 days beginning with the day on which the company has the knowledge mentioned there.

790LH Duty to notify registrar if company ceases to have persons with significant control

- (1) A company must give a notice to the registrar if it knows or has cause to believe that—
- (a) there has at some time been a person who is a registrable person or registrable relevant legal entity in relation to the company, and
 - (b) there has ceased to be anyone who is a registrable person or registrable relevant legal entity in relation to the company.
- (2) A notice under subsection (1) must —
- (a) state that the company has that knowledge or cause to believe, and
 - (b) specify the date on which the company first had that knowledge or cause to believe.
- (3) A notice under subsection (1) must be given within the period of 14 days beginning with the day on which the company first had the knowledge or cause to believe mentioned in that subsection.

790LI Power to create further duties to notify information

- (1) The Secretary of State may by regulations impose further duties on a company to deliver information to the registrar about—
- (a) registrable persons, or registrable relevant legal entities, in relation to the company (including information about whether it has any);
 - (b) compliance with Chapter 2 by the company or any person to whom the company has given a notice under that Chapter (including provision requiring a company to provide the registrar with a copy of any such notice, whether on request or otherwise).
- (2) The provision that may be made by regulations under subsection (1) includes provision amending this Part.
- (3) The consequential provision that may be made by regulations under subsection (1) by virtue of section 1292(1) also includes provision amending any other provision of this Act.
- (4) Regulations under this section are subject to affirmative resolution procedure.

790LJ Persons with significant control: offence of failure to notify

- (1) If a company fails, without reasonable excuse, to comply with section 790LA, 790LC, 790LD, 790LE, 790LF, 790LG or 790LH, or regulations under section 790LI, an offence is committed by—
- (a) the company, and
 - (b) every officer of the company who is in default.
- (2) For this purpose a shadow director is treated as an officer of the company.

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- (3) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale and, for continued contravention, a daily default fine not exceeding one-tenth of level 3 on the standard scale.

790LK Power of court to order company to remedy defaults or delay

- (1) Where a company makes default in complying with section 790LA, 790LC, 790LD, 790LE, 790LF, 790LG or 790LH, or regulations under section 790LI, an application may be made to the court for an order requiring the company to deliver to the registrar the information (or statements) necessary to rectify the position.
- (2) The application may be made by—
- (a) any person aggrieved by the default,
 - (b) any member of the company, or
 - (c) any person who is a registrable person or a registrable relevant legal entity in relation to the company.
- (3) On an application under subsection (1) the court may either refuse the application or may make the order and order the company to pay any damages sustained by any party aggrieved.
- (4) On an application under subsection (1) the court may decide—
- (a) any question as to whether the name of any person who is a party to the application should or should not be included in or omitted from information delivered to the registrar under this Chapter about persons who are a registrable person or a registrable relevant legal entity in relation to the company, and
 - (b) any question necessary or expedient to be decided for rectifying the position.
- (5) Nothing in this section affects a person's rights under section 1094 or 1096 (rectification of register).

790LL Information as to whether information has been delivered

- (1) A person may request a company to tell the person whether all of the information that it is required to deliver to the registrar under this Chapter has been delivered.
- (2) The company must comply with the request within the period of 14 days beginning with the day on which the request is made.
- (3) If the company fails, without reasonable excuse, to do so, an offence is committed by—
- (a) the company, and
 - (b) every officer of the company who is in default.
- (4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) Subsection (1) does not apply in relation to information if the company is aware that, by virtue of regulations under section 1088, the registrar

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is required to refrain from making that information available for public inspection.”

Commencement Information

I24 Sch. 2 para. 18 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)

I25 [Sch. 2 para. 18](#) in force at 4.3.2024 for specified purposes by [S.I. 2024/269](#), [reg. 2\(z10\)](#)

- 19 Omit Chapters 3 and 4 of Part 21A (company registers of people with significant control etc).

Commencement Information

I26 Sch. 2 para. 19 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)

I27 [Sch. 2 para. 19](#) in force at 4.3.2024 for specified purposes by [S.I. 2024/269](#), [reg. 2\(z10\)](#)

- 20 (1) Schedule 1B (enforcement of disclosure requirements in relation to persons with significant control) is amended as follows.
- (2) In each of the following provisions, for “or 790E” substitute “, [790DA](#), 790E or [790EA](#)”—
- (a) paragraph 1(1)(a) and (3)(a);
 - (b) paragraph 8(3)(a);
 - (c) paragraph 11(a) and (b);
 - (d) paragraph 12(2)(b).
- (3) For paragraphs 13 and 14 substitute—

“Offence of failing to comply with notices

- 13 (1) A person to whom a notice under section [790D](#), [790DA](#), [790E](#) or [790EA](#) is addressed commits an offence if the person fails, without reasonable excuse, to comply with the notice.
- (2) Where the person is a legal entity, the offence is also committed by every officer of the entity who is in default.
- (3) A person guilty of an offence under this paragraph is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both);
 - (b) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates’ court or a fine (or both);
 - (ii) in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both).

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Offence of failing to provide information

- 14 (1) A person commits an offence if the person fails, without reasonable excuse, to comply with a duty under section 790G, 790H or 790HA.
- (2) Where the person is a legal entity, the offence is also committed by every officer of the entity who is in default.
- (3) A person guilty of an offence under this paragraph is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both);
 - (b) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
 - (ii) in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both).

False statements: basic offence

- 14A (1) A person commits an offence if, in purported compliance with a notice under section 790D, 790DA, 790E or 790EA or in purported compliance with a duty imposed by section 790G, 790H or 790HA, and without reasonable excuse, the person makes a statement that is misleading, false or deceptive in a material particular.
- (2) Where the person is a legal entity, the offence is also committed by every officer of the entity who is in default.
- (3) A person guilty of an offence under this paragraph is liable on summary conviction—
- (a) in England and Wales, to a fine;
 - (b) in Scotland, to a fine not exceeding level 5 on the standard scale;
 - (c) in Northern Ireland, to a fine not exceeding level 5 on the standard scale.

False statements: aggravated offence

- 14B (1) A person commits an offence if, in purported compliance with a notice under section 790D, 790DA, 790E or 790EA or in purported compliance with a duty imposed by section 790G, 790H or 790HA, the person makes a statement that the person knows is misleading, false or deceptive in a material particular.
- (2) Where the person is a legal entity, the offence is also committed by every officer of the entity who is in default.
- (3) A person guilty of an offence under this paragraph is liable—

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- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both);
- (b) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates' court or to a fine (or both);
 - (ii) in Scotland, to imprisonment for a term not exceeding twelve months or to a fine not exceeding the statutory maximum (or both);
 - (iii) in Northern Ireland, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum (or both).”

Commencement Information

I28 Sch. 2 para. 20 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)

I29 [Sch. 2 para. 20](#) in force at 4.3.2024 for specified purposes by [S.I. 2024/269, reg. 2\(z10\)](#)

Status:

Point in time view as at 04/03/2024.

Changes to legislation:

There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, PART 3.