

2009 No. 2392

FEES AND CHARGES

**The Registrar of Companies (Fees) (Limited Partnerships and
Newspaper Proprietors) Regulations 2009**

<i>Made</i>	- - - -	<i>28th August 2009</i>
<i>Laid before Parliament</i>		<i>3rd September 2009</i>
<i>Coming into force</i>	- -	<i>1st October 2009</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 1063(1) to (3), 1292(1) and (2) and 1296 of the Companies Act 2006(a).

Citation and commencement

1. These Regulations may be cited as the Registrar of Companies (Fees) (Limited Partnerships and Newspaper Proprietors) Regulations 2009 and come into force on 1st October 2009.

Interpretation

2. In these Regulations—

“Companies House Direct” and “CHD” mean the service by which information is accessed by the applicant in Hyper Text Markup Language using a website of the registrar by delivering a non-encrypted access code;

“European Economic Interest Grouping” means a grouping formed in pursuance of article 1 of Council Regulation (EEC) No. 2137/85 of 25th July 1985(b);

“limited liability partnership” means a body corporate incorporated under the Limited Liability Partnerships Act 2000(c);

“limited partnership” means a partnership registered under the Limited Partnerships Act 1907(d); and

“the register of the proprietors of newspapers” means the register established under section 8 of the Newspaper Libel and Registration Act 1881(e).

Fees payable in respect of functions relating to the registration of documents by the registrar

3. Schedule 1 makes provision for the fees that are payable to the registrar in respect of the registration of documents relating to limited partnerships and the register of the proprietors of newspapers by the registrar.

(a) 2006 c.46.
(b) O.J. No. L199, 31.7.1985, p.1.
(c) 2000 c.12.
(d) 1907 c.24.
(e) 1881 c.60.

Fees payable in respect of the inspection or provision of copies of documents kept by the registrar relating to limited partnerships

4.—(1) Schedule 2 makes provision for the fees that are payable to the registrar in respect of the inspection, or provision of copies, of documents kept by the registrar relating to limited partnerships.

(2) The fees prescribed in relation to paragraph 4(a) of Schedule 2 are not payable in respect of any month for which the applicant pays a fee to the registrar for subscription to Companies House Direct under regulations providing for the payment of fees in respect of the functions of the registrar in relation to the inspection, or provision of copies, of documents kept by the registrar relating to companies, overseas companies, limited liability partnerships and European Economic Interest Groupings.

Transitional provisions

5. Where any document is delivered to the registrar on or before 30th September 2009 to which any fee set under section 14 of the Newspaper Libel and Registration Act 1881 would have applied if registered on or before that date, and that document is registered on or after 1st October 2009, the fee prescribed in Schedule 1 in respect of that document shall not apply and any fee set under section 14 of the Newspaper Libel and Registrations Act 1881 shall apply.

6. Where any application is made to the registrar on or before 30th September 2009 in respect of the inspection of, or the provision of copies of, material kept by the registrar, the fee prescribed in Schedule 2 or determined by the registrar in the exercise of his powers under section 1063(5) of the Companies Act 2006 in respect of that application shall not apply and any fee payable under paragraph 6(2) of Schedule 5 to the Companies Act 2006 (Commencement No. 1, Transitional Provisions and Savings) Order 2006(a) shall apply.

Revocation

7. Subject to Regulation 6, paragraph 6(2) of Schedule 5 to the Companies Act 2006 (Commencement No.1, Transitional Provisions and Savings) Order 2006 is revoked.

28th August 2009

Ian Lucas
Minister for Business and Regulatory Reform,
Department for Business, Innovation and Skills

(a) S.I. 2006/3428 (C.132).

THE PERFORMANCE OF FUNCTIONS RELATING TO THE
REGISTRATION OF DOCUMENTS BY THE REGISTRAR

PART 1
INTERPRETATION

Meaning of “the 1881 Act” and “the LP Act” and words and expressions used in those Acts

1.—(1) In this Schedule—

“the 1881 Act” means the Newspaper Libel and Registration Act 1881;

“the LP Act” means the Limited Partnerships Act 1907.

(2) Words and expressions used in the enactments set out in sub-paragraph (1) have the same meaning when used in this Schedule as they have in those enactments.

Meaning of “same day registration”

2. For the purposes of this Schedule a document is delivered for “same day registration” if—

- (a) a request for same day registration and the document required to be delivered to the registrar in connection with that registration is received by the registrar by 3.00 pm on the day in question; and
- (b) the registration is completed on that day.

General

3. Where, in relation to any matter in respect of which a fee is payable under this Schedule, the means of delivery to the registrar of the documents required to be delivered in relation to that matter, or the form of those documents, are not specified that fee is payable only in respect of documents that are delivered in hard copy form.

4. Where, in relation to any matter in respect of which a fee is payable under this Schedule, no provision is made for same day registration of the documents required to be delivered to the registrar in relation to that matter, that fee is only payable in respect of the delivery of documents other than for same day registration.

PART 2
FEES PAYABLE

Limited partnerships

5. In respect of the performance by the registrar of his functions in relation to the registration of documents delivered to him in respect of limited partnerships, the fee specified in relation to the matter below is payable on the registration of the documents so delivered relating to that matter–

Matter in relation to which the fee is payable	Amount of fee
(a) for the registration of a limited partnership under section 8 of the LP Act(a)–	
(i) where the application is delivered for same day registration,	£50.00
(ii) where the application is delivered other than for same day registration.	£20.00

Newspaper proprietors

6. In respect of the performance by the registrar of his functions in relation to the register of the proprietors of newspapers, the fee specified in relation to the matter below is payable on the registration of the documents so delivered relating to that matter–

Matter in relation to which the fee is payable	Amount of fee
(a) for the making of a return under section 9 of the 1881 Act(b);	£10.00

(a) Section 8 was substituted by articles 3(2) and 4 to 7 of the Legislative Reform (Limited Partnerships) Order 2009 (S.I. 2009/1940).

(b) Section 9 was amended by the Statute Law Revision Act 1894 (c.56) and by paragraph 1(3) of Schedule 1 to the Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941).

THE PERFORMANCE OF FUNCTIONS RELATING TO THE
INSPECTION OR PROVISION OF COPIES OF DOCUMENTS KEPT
BY THE REGISTRAR IN RELATION TO LIMITED PARTNERSHIPS

PART 1
INTERPRETATION

Means by which material kept by the registrar may be inspected and copies provided

1. In this Schedule—

“Companies House Contact Centre” and “CHCC” mean a contact centre maintained by or on behalf of the registrar through which a facility is provided for applying by telephone, fax or email for copies of material kept by the registrar;

“Companies House Information Centre” and “CHIC” mean an office of the registrar where facilities are made available for applicants to inspect and to obtain copies of material kept by the registrar.

Meaning of “same day delivery” and “same day collection”

2. For the purposes of this Schedule certificates and certified copies are provided for “same day delivery” or “same day collection” if—

- (a) a request for same day delivery or same day collection is received by the registrar before 2.00pm on the day in question; and
- (b) the appropriate certificate or certified copy is issued to the applicant on that day.

Meaning of “the LP Act” and words and expressions used in that Act

3. In this Schedule “the LP Act” means the Limited Partnerships Act 1907; and words and expressions used in that Act have the same meaning when used in this Schedule as they have in that Act.

PART 2

FEES PAYABLE

Companies House Direct

4. In respect of the performance of the registrar's functions in relation to the provision of certificates of registration in respect of limited partnerships, where an application for a certificate is made by means of CHD, the following fees are payable–

Matter in relation to which the fee is payable	Amount of fee
(a) for subscribing to CHD, for each calendar month payable in arrears at the end of that month;	£5.00
(b) for a certificate of registration of a limited partnership, in hard copy form, under section 16 of the LP Act, applied for by means of CHD–	
(i) where that certificate is delivered by post and it is the first certificate relating to that limited partnership provided to an applicant on any one occasion,	£15.00
(ii) where it is an additional certificate delivered by post relating to the same limited partnership provided to that applicant on the same occasion,	£10.00
(iii) where any certificate is delivered by post by same day delivery;	£50.00
(c) for a certificate of registration of the type referred to in sub-paragraph (b) above applied for by means of CHD and made available for collection at a CHIC–	
(i) where it is the first certificate relating to that limited partnership provided to an applicant on any one occasion,	£15.00
(ii) where it is an additional certificate relating to the same limited partnership provided to that applicant on the same occasion,	£10.00
(iii) where any certificate is made available for same day collection.	£50.00

Companies House Information Centre

5. In respect of the performance of the registrar's functions in relation to the inspection of material kept by the registrar and the provision of copies of material kept by the registrar in respect of limited partnerships, where an application for inspection or a copy is made at a CHIC, the following fees are payable–

Matter in relation to which the fee is payable	Amount of fee
(a) for the inspection, at a CHIC, of an original statement or application delivered to the registrar in hard copy form;	£6.00
(b) for the inspection and for a copy in hard copy form, of a statement or application of the type specified in sub-paragraph (a) above;	£9.00
(c) for a copy (without prior inspection), in hard copy form, of an original statement or application kept by the registrar in hard copy form applied for at a CHIC and delivered by post;	£3.00
(d) for a copy (without prior inspection), in hard copy form, of an original statement or application kept by the registrar in hard copy form applied for at a CHIC and made available for collection at a CHIC;	£3.00

(e) for a copy of or extract from, in hard copy form, a statement or application certified under section 16 of the LP Act, applied for at a CHIC and delivered to the applicant by post– (i) where the copy or extract consists of up to 10 pages (including the tenth page), (ii) for each subsequent page of the copy or extract, (iii) where any copy or extract is delivered by same day delivery;	£15.00 £1.00 £50.00
(f) for a copy of or extract from, in hard copy form, a statement or application certified under section 16 of the LP Act, applied for at a CHIC and made available for collection at a CHIC– (i) where the copy or extract consists of up to 10 pages (including the tenth page), (ii) for each subsequent page of the copy or extract, (iii) where any copy or extract is made available for same day collection;	£15.00 £1.00 £50.00
(g) for a certificate of registration of a limited partnership, in hard copy form, under section 16 of the LP Act, applied for at a CHIC– (i) where that certificate is delivered by post and it is the first certificate relating to that limited partnership provided to an applicant on any one occasion, (ii) for each additional certificate delivered by post relating to the same limited partnership provided to that applicant on the same occasion, (iii) where any certificate is delivered by post by same day delivery;	£15.00 £10.00 £50.00
(h) for a certificate of registration of a limited partnership of the type referred to in sub-paragraph (g) above applied for at a CHIC and made available for collection at a CHIC– (i) where it is the first certificate relating to that limited partnership provided to an applicant on any one occasion, (ii) where it is an additional certificate relating to the same limited partnership provided to that applicant on the same occasion, (iii) where any certificate is made available for same day collection.	£15.00 £10.00 £50.00

Companies House Contact Centre

6. In respect of the performance of the registrar's functions in relation to the provision of copies of material kept by the registrar in respect of limited partnerships, where the application for a copy is made by means of a CHCC, the following fees are payable–

Matter in relation to which the fee is payable	Amount of fee
(a) for a copy, in hard copy form, provided on an application to a CHCC, of an original statement or application in relation to a limited partnership kept by the registrar in hard copy form and delivered by post;	£3.00
(b) for a copy, in hard copy form, provided on an application to a CHCC, of an original statement or application in relation to a limited partnership kept by the registrar in hard copy form and made available for collection at a CHIC;	£3.00
(c) for a copy of or extract from, in hard copy form, a statement or application certified under section 16 of the LP Act applied for at a	

CHCC– (i) where that copy or extract is delivered by post other than by same day delivery, (ii) where that copy or extract is delivered by post by same day delivery;	£15.00 £50.00
(d) for a copy of or extract from, in hard copy form, a statement or application certified under section 16 of the LP Act, applied for at a CHCC and made available for collection at a CHIC– (i) where that copy or extract is made available for collection other than by same day collection, (ii) where that copy or extract is made available for same day collection;	£15.00 £50.00
(e) for a certificate of registration of a limited partnership, provided on application to a CHCC, in hard copy form, under section 16 of the LP Act– (i) where that certificate is delivered by post and is the first certificate relating to that limited partnership provided to an applicant on any one occasion, (ii) where it is an additional certificate delivered by post relating to the same limited partnership provided to that applicant on the same occasion, (iii) where any certificate is delivered by post by same day delivery;	£15.00 £10.00 £50.00
(f) for a certificate of registration of a limited partnership, provided on application to a CHCC, in hard copy form, under section 16 of the LP Act and made available for collection at a CHIC–	
(i) where it is the first certificate relating to that limited partnership provided to an applicant on any one occasion, (ii) where it is an additional certificate relating to the same limited partnership provided to that applicant on the same occasion, (iii) where any certificate is made available for same day collection.	£15.00 £10.00 £50.00

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the fees to be payable to the registrar of companies in respect of his functions relating to the registration of documents relating to limited partnerships and the register of the proprietors of newspapers, and the inspection or provision of copies of documents kept by him relating to limited partnerships.

In respect of limited partnerships, the Regulations replace fees set under section 16 of the Limited Partnerships Act 1907 (“the 1907 Act”) and the Limited Partnerships Rules 1907 (S.I. 1907/1020, as amended) made under section 17 of that Act. The powers to set fees under the 1907 Act were repealed on 6th April 2007 by section 1063(7) of the Companies Act 2006. But savings in paragraph 6 of Schedule 5 to the Companies Act 2006 (Commencement No.1, Transitional Provisions and Savings) Order 2006 (S.I. 2006/3428 (C.132)) (“the First Commencement Order”) preserved the fees set under sections 16 and 17 of the 1907 Act. The Limited Partnership Rules 1907 were revoked by the Limited Partnerships (Forms) Rules 2009 (S.I. 2009/2160), except for rule 3 which sets out the saved fees.

The provisions of the 1907 Act providing for the registration of limited partnerships were amended by the Legislative Reform (Limited Partnerships) Order 2009 (S.I. 2009/1940).

In respect of the register of the proprietors of newspapers, the Regulations replace fees set under section 14 of the Newspaper Libel and Registration Act 1881 (“the 1881 Act”) in the Board of Trade Minute of 22nd December 1881. A copy of this minute is available from the Department for Business, Innovation and Skills.

The replacement fees are subject to the transitional provisions contained in regulations 5 and 6. They revoke the savings for limited partnerships fees in the First Commencement Order.

The scale of the fees in these Regulations has increased from the corresponding fees set under the 1907 Act and the 1881 Act. The fee payable for the registration of a limited partnership has increased from £2 to £20. The fee payable for registering a return in the register of the proprietors of newspapers has increased from 25p to £10. The fee payable to inspect documents relating to limited partnerships has increased from 5p to the fees set in these Regulations. The fee payable for a certificate of registration relating to a limited partnership has increased from 10p to £15. Certain fees set under the 1907 Act or the 1881 Act which are not re-enacted in these Regulations are determined by the registrar under section 1063(5) of the Companies Act 2006 under an instrument made on 1st October 2009. A copy of this instrument is available from the registrar.

Regulation 3 and Schedule 1 provide the fees to be payable in respect of the registration of documents by the registrar relating to limited partnerships and the register of the proprietors of newspapers.

Regulation 4 and Schedule 2 provide the fees to be payable in respect of the inspection or provision of copies of documents kept by the registrar relating to limited partnerships.

A regulatory impact assessment has not been produced for this instrument.

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STATUTORY INSTRUMENTS

2009 No. 2392

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The Registrar of Companies (Fees) (Limited Partnerships and
Newspaper Proprietors) Regulations 2009

£5.50