
STATUTORY INSTRUMENTS

2018 No. 528

**The Companies (Disclosure of Address)
(Amendment) Regulations 2018**

PART 3

Consequential and transitional amendments

Consequential amendments to the Scottish Partnerships (Register of People with Significant Control) Regulations 2017

6.—(1) Regulation 64 of the Scottish Partnerships (Register of People with Significant Control) Regulations 2017⁽¹⁾ is amended in accordance with this regulation.

(2) In the modified section 1088, in subsection (3)(b)—

- (a) for “regulation 9 (application to make an address unavailable for public inspection by an individual)” substitute “regulation 9 (application under section 1088 to make an address unavailable for public inspection by an individual)”;
- (b) for the substituted regulation 9, substitute—

“9.—(1) Where an individual’s usual residential address is on the register, that individual may make a section 1088 application in respect of that address where, in the individual’s capacity as a registrable person, that address was placed on the register either—

- (a) as a service address in a statement of initial significant control delivered to the registrar under section 8A of the Limited Partnerships Act 1907⁽²⁾, or
- (b) as a service address included in the required particulars of a registrable person delivered to the registrar to comply with an obligation in Part 5 of the Scottish Partnerships (Register of People with Significant Control) Regulations 2017.

(2) The application must contain—

- (a) the name and any former name of the applicant;
- (b) the usual residential address of the applicant that is to be made unavailable for public inspection;
- (c) an address for correspondence in respect of the application;
- (d) the name and registered number of each eligible Scottish partnership⁽³⁾ in respect of which the applicant has indicated in the application that the applicant’s usual residential address was placed on the register;
- (e) in respect of each eligible Scottish partnership falling within sub-paragraph (d)
—

⁽¹⁾ [S.I. 2017/694](#).

⁽²⁾ [1907 c.24](#); section 8A was amended by [S.I. 2017/694](#).

⁽³⁾ See regulation 3(2) of [S.I. 2017/694](#) for the meaning of “eligible Scottish Partnership”.

- (i) the name of the document in which that usual residential address appears on the register,
- (ii) where that document is a form, the number and title of the form, and
- (iii) the registration date of that document;
- (f) where the application includes an eligible Scottish partnership which is required to maintain a current address for the applicant on the register, the service address which is to replace the usual residential address; and
- (g) the date of birth of the applicant.”;
- (c) in subsection (3)(c), for “10 and 11” substitute “10, 11 and 12”;
- (d) omit subsection (3)(d);
- (e) in subsection (3)(e), for the substituted regulation 13 (effect of a successful 1088 application) substitute—

“13.—(1) This regulation applies in relation to a section 1088 application made under regulation 9.

(2) The registrar must make the specified address unavailable for public inspection in the places on the register where the applicant has indicated, in the application, that it appears.

(3) Where the application relates to an entry concerning an eligible Scottish partnership which is required to maintain a current address on the register for the applicant, the registrar must make the specified address unavailable for public inspection by replacing it with the service address provided by the applicant.

(4) In any other case, the registrar must make the specified address unavailable for public inspection by removing all elements of that address except—

- (a) for a United Kingdom address—
 - (i) the outward code from the postcode, or
 - (ii) where the address on the register does not include the outward code from the postcode, any information in that address that denotes a geographical area which is equivalent to or larger than the area represented by the outward code of the postcode which applies to that address; and
- (b) for an address other than a United Kingdom address, the country or territory and the name of the next principal unit of geographical subdivision of that country or territory (e.g. the state, region, province, county, district, municipality or equivalent) if there is one included in that address as it appears on the register.

(5) In this regulation—

“specified address” means the address specified in the application as being the one to be made unavailable for public inspection; and

“outward code” means the part of a postcode before the internal space but not the number and letters which come after that space.”;

- (f) for subsections (3)(f) to (h) substitute—
 - “(i) omit regulations 14 to 16.”.

Consequential amendments to the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009

7.—(1) Regulation 66 of the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009(4) is amended in accordance with this regulation.

(2) In the substituted section 1088, for subsection (3)(f) substitute—

“(f) in regulation 9, for paragraph (1) substitute—

“(1) Where an individual’s usual residential address is on the register, that individual may make a section 1088 application in respect of that address, where that address was placed on the register in the individual’s capacity as—

(a) a proposed member or member under—

(i) section 2 (incorporation document etc.) or 9 (registration of membership changes) of the Limited Liability Partnerships Act 2000(5),

(ii) section 2 (incorporation document etc.) or 9 (registration of membership changes) of the Limited Liability Partnerships Act (Northern Ireland) 2002(6),

(iii) section 288 (register of directors and secretaries)(7) or 363 (duty to deliver annual returns)(8) of the 1985 Act,

(iv) article 296 (register of directors and secretaries)(9) or 371 (duty to deliver annual returns)(10) of the 1986 Order,

(v) section 855 (contents of annual return)(11) or 167D (duty to notify registrar of changes)(12);

(b) a registrable person under—

(i) section 2 of the Limited Liability Partnerships Act 2000 (incorporation document etc.),

(ii) any obligation in Part 21A (information about people with significant control)(13).”

Transitional provision

8.—(1) If a section 1088 application was received by the registrar before the day on which these Regulations came into force, the application must be dealt with by the registrar in accordance with the 2009 Regulations as they applied before these Regulations came into force.

(2) In this regulation “section 1088 application” has the meaning given by regulation 1(2) of the 2009 Regulations.

(4) S.I. 2009/1804; regulation 66 was amended by S.I. 2017/693.

(5) Section 2 was amended by S.I. 2009/1804 and S.I. 2016/340; section 9 was amended by S.I. 2009/1804.

(6) 2002 c.12; section 2 was repealed by sections 1286(2)(a) and 1295 of, and Schedule 16 to, the Companies Act 2006 and section 9 was repealed by sections 1286(2)(a) and 1295 of, and Schedule 16 to, the Companies Act 2006.

(7) Section 288 was applied and modified by S.I. 2001/1090.

(8) Section 363 was applied and modified by S.I. 2001/1090.

(9) Article 296 was applied and modified by S.R. (NI) 2004 No 307.

(10) Article 371 was applied and modified by S.R. (NI) 2004 No 307.

(11) Section 855 was applied and modified by S.I. 2009/1804.

(12) Section 167D was applied and modified by S.I. 2009/1804.

(13) Part 21A was applied and modified by S.I. 2009/1804.