
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Register of Overseas Entities (Delivery,
Protection and Trust Services) Regulations 2022

PART 3

Protection of information

Revocation of a determination under regulation 7(7)

13.—(1) The registrar may revoke a determination made under regulation 7(7) that an application is successful if—

- (a) (i) the applicant in relation to the determination or (if different) any person to whom the application relates has been found guilty of an offence under section 32 of the ECTEA (general false statement offence) in respect of purported compliance with any provision of this Part;
- (ii) the registrar has sent a notice in accordance with paragraph (2) to the applicant in relation to the determination and (if different) the relevant individual to whom the determination relates; and
- (iii) the period of 28 days beginning with the date of that notice has expired; or
- (b) the registrar is notified, or otherwise becomes aware, that the relevant individual has died or become incapacitated.

(2) The notice mentioned in paragraph (1)(a)(ii) must inform the addressee—

- (a) of the registrar's intention to revoke the determination;
- (b) that the addressee may, within 28 days beginning with the date of the notice, deliver representations in writing to the registrar as to why the registrar should not revoke the determination; and
- (c) that if the registrar receives such representations within that period, the registrar will have regard to the representations in deciding whether to revoke the determination.

(3) If within the period specified in paragraph (2)(b) an addressee of the notice delivers representations in writing to the registrar as to why the registrar should not revoke the determination, the registrar must have regard to the representations in deciding whether to revoke the determination.

(4) The registrar must send notice of the registrar's decision as to whether to revoke a determination to the applicant in relation to the determination and (if different) the relevant individual to whom the determination relates within 7 days beginning with the date of the decision.

(5) Where the registrar has made a decision to revoke a determination, the registrar must make protected information to which the determination relates available for public inspection as soon as reasonably practicable after sending the notice mentioned in paragraph (4).

(6) Where the registrar makes protected information available for public inspection under this regulation, the registrar must notify the person to whom the protected information relates and the

overseas entity to which the application under regulation 7 related of that action as soon as reasonably practicable.