
DRAFT STATUTORY INSTRUMENTS

2022 No.

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

PART 3

Protection of information

Application to protect information relating to a relevant individual

7.—(1) A relevant individual, or an overseas entity on behalf of a relevant individual, may make an application to the registrar requiring the registrar to—

- (a) make protected information relating to that relevant individual unavailable for public inspection; and
- (b) refrain from disclosing protected information relating to that relevant individual.

(2) An overseas entity may only make an application under paragraph (1) where the relevant individual has given consent for the overseas entity to make the application on their behalf.

(3) The grounds on which an application may be made are that the applicant reasonably believes that if that protected information is available for public inspection or disclosed by the registrar—

- (a) the activities of that overseas entity; or
- (b) one or more characteristics or personal attributes of the relevant individual when associated with that overseas entity,

will put the relevant individual or a person living with the relevant individual at serious risk of being subjected to violence or intimidation.

(4) The application must contain—

- (a) a statement of the grounds on which the application is made;
- (b) the name, any former name, date of birth and nationality of the relevant individual;
- (c) the usual residential address of the relevant individual;
- (d) a service address of the applicant, which may be stated as the entity's registered or principal office where the applicant is or used to be a managing officer;
- (e) the e-mail address of the applicant, if any;
- (f) the name, registered number, overseas entity ID if any and address of the overseas entity in respect of which the relevant individual is or used to be a registerable beneficial owner or managing officer;
- (g) where the relevant individual is or used to be a registerable beneficial owner, a statement as to—
 - (i) the date on which the individual became a registerable beneficial owner in respect of the overseas entity;

- (ii) which of the conditions in paragraph 6 of Schedule 2 to the ECTEA is met in relation to the registrable beneficial owner and a statement as to why the condition is met;
 - (iii) whether the relevant individual meets that condition by virtue of being a trustee;
 - (iv) whether the relevant individual is a designated person within the meaning of section 9(2) of the Sanctions and Anti-Money Laundering Act 2018⁽¹⁾, where that information is publicly available;
- (h) where the relevant individual is or used to be a managing officer—
- (i) the business occupation of the relevant individual;
 - (ii) a description of the officer’s roles and responsibilities in respect of the overseas entity;
- (i) where the application is made by an overseas entity, confirmation that the relevant individual consents to the making of the application.
- (5) The application must be accompanied by evidence which supports the applicant’s statement of the grounds on which the application is made.
- (6) Where a relevant individual makes an application under paragraph (1) to the registrar, that individual must inform the overseas entity in respect of which the relevant individual is or used to be a registrable beneficial owner or managing officer of that fact as soon as reasonably practicable.
- (7) The registrar must determine the application and, within 7 days beginning with the date that the determination is made, send notice of the determination to the applicant and, where they are not the applicant, the relevant individual or overseas entity (as the case may be).
- (8) Where the application is unsuccessful, the notice under paragraph (7) must inform the relevant individual and the overseas entity of the right to apply for permission to appeal against the determination within 28 days beginning with the date of the notice.

⁽¹⁾ 2018 c. 13.