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DRAFT STATUTORY INSTRUMENTS

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**2024 No.**

The Companies and Limited Liability Partnerships  
(Protection and Disclosure of Information and  
Consequential Amendments) Regulations 2024

Part 2

Amendments to the 2009 Regulations

**Interpretation**

**2.** In this Part, “the 2009 Regulations” means the Companies (Disclosure of Address) Regulations 2009(1).

**Amendments to Part 3 of the 2009 Regulations**

**3.—(1)** Part 3 of the 2009 Regulations (application to make an address unavailable for public inspection under section 1088) is amended in accordance with this regulation.

(2) Regulation 9 (application under section 1088 to make an address unavailable for inspection by an individual) is amended as follows—

- (a) in paragraph (1)(b), after “representative” insert “or a person authorised to accept service of documents”;
- (b) in paragraph (2)—
  - (i) omit sub-paragraph (c);
  - (ii) at the end of sub-paragraph (f), insert “and”;
  - (iii) at the end of sub-paragraph (g), for “; and” substitute a full stop;
  - (iv) omit sub-paragraph (h).

(3) For regulation 10(5) (application under section 1088 to make an address unavailable for public inspection by a company) substitute—

“(5) The registrar shall determine the application and send notice of the determination to any address supplied by the applicant within five working days of that determination being made.”.

(4) In regulation 11 (application under section 1088 to make an address unavailable for public inspection by a person who registers a charge)—

- (a) omit paragraph (3)(a)(v);
- (b) for paragraph (5) substitute—

“(5) The registrar shall determine the application and send notice of the determination to any address supplied by the applicant within five working days of that determination being made.”.

(5) After regulation 11 insert—

**“Application under section 1088 to make a usual residential address unavailable for public inspection: other cases**

**11A.**—(1) Where an individual’s usual residential address is made available for public inspection by the registrar, and it is not the relevant company’s current registered office address, the individual may make a section 1088 application<sup>(2)</sup> in respect of that address if it was derived from a document delivered to the registrar under—

- (a) section 9(5)(a) of the Act (registration documents);
- (b) section 87 of the Act (change of address of registered office);
- (c) section 854 of the Act (duty to deliver annual returns) by virtue of being information required by section 855(1)(a) of the Act (contents of annual return: general);
- (d) section 10(6) of the 1985 Act or article 21 of the 1986 Order (documents to be sent to registrar);
- (e) section 287 of the 1985 Act or article 295 of the 1986 Order (registered office), or
- (f) section 363 of the 1985 Act (duty to deliver annual returns) by virtue of being information required by section 364(1)(a) of the 1985 Act (contents of annual return: general), or article 371 (duty to deliver annual returns) of the 1986 Order by virtue of being information required by article 372(1)(a) of the 1986 Order (contents of annual return: general).

(2) The application must contain—

- (a) the name of the applicant;
- (b) the usual residential address of the applicant that is to be made unavailable for public inspection;
- (c) the name and registered number of the company in respect of which the applicant has indicated in the application that the applicant’s usual residential address was placed on the register (the “relevant company”), and
- (d) in respect of the relevant company—
  - (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.

(3) Where an address in respect of which an individual wishes to make an application under paragraph (1) was the registered office address of the relevant company at the time of its dissolution, an application may only be made after the expiry of the period of 6 months beginning on the day of the relevant company’s dissolution.

(4) In this regulation, “relevant company” has the meaning given in paragraph (2)(c).”.

(6) After regulation 13(6) insert—

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(2) See regulation 1 of [S.I. 2009/214](#) for the meaning of “section 1088 application”.

“(6A) Where a section 1088 application has been made under regulation 11A, the registrar must make the specified address unavailable for public inspection in the places indicated in the application by removing all elements of that address, except—

- (a) the outward code from the postcode, or
- (b) where the address 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.”

(7) After regulation 16 (revocation of a section 243 decision or a section 1088 decision) insert—

## “Part 5

### DISCLOSURE OF USUAL RESIDENTIAL ADDRESS

#### **Disclosure by the registrar**

17. The registrar may disclose a usual residential address which has been made unavailable for public inspection pursuant to an application made under regulation 11A to a person specified in section 1029(2) of the Act (application to the court for restoration to the register) if the registrar is satisfied that the address is necessary for the person to make an application under subsection (1) of that section.””.