



Companies Act 1985

1985 CHAPTER 6

PART XII

REGISTRATION OF CHARGES

CHAPTER I

REGISTRATION OF CHARGES (ENGLAND AND WALES)

396 Charges which have to be registered

- (1) Section 395 applies to the following charges—
 - (a) a charge for the purpose of securing any issue of debentures,
 - (b) a charge on uncalled share capital of the company,
 - (c) a charge created or evidenced by an instrument which, if executed by an individual, would require registration as a bill of sale,
 - (d) a charge on land (wherever situated) or any interest in it, but not including a charge for any rent or other periodical sum issuing out of the land,
 - (e) a charge on book debts of the company,
 - (f) a floating charge on the company's undertaking or property,
 - (g) a charge on calls made but not paid,
 - (h) a charge on a ship or aircraft, or any share in a ship,
 - (j) a charge on goodwill, on a patent or a licence under a patent, on a trademark or on a copyright or a licence under a copyright.
- (2) Where a negotiable instrument has been given to secure the payment of any book debts of a company, the deposit of the instrument for the purpose of securing an advance to the company is not, for purposes of section 395, to be treated as a charge on those book debts.
- (3) The holding of debentures entitling the holder to a charge on land is not for purposes of this section deemed to be an interest in land.

(4) In this Chapter, " charge " includes mortgage.