

*Status: Point in time view as at 20/01/2007. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: Companies Act 2006, Cross Heading: Companies' records and registers is up to date with all changes known to be in force on or before 04 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*



# Companies Act 2006

## 2006 CHAPTER 46

### PART 25

#### COMPANY CHARGES

#### CHAPTER 1

##### COMPANIES REGISTERED IN ENGLAND AND WALES OR IN NORTHERN IRELAND

##### *Companies' records and registers*

VALID FROM 01/10/2009

#### **875 Companies to keep copies of instruments creating charges**

- (1) A company must keep available for inspection a copy of every instrument creating a charge requiring registration under this Chapter, including any document delivered to the company under section 868(3)(b) (Northern Ireland: orders imposing charges affecting land).
- (2) In the case of a series of uniform debentures, a copy of one of the debentures of the series is sufficient.

#### **Modifications etc. (not altering text)**

- C1** Ss. 875-877 applied (with modifications) (1.10.2009) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) Regulations 2009 \(S.I. 2009/1804\)](#), regs. 2, 38

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VALID FROM 01/10/2009

## 876 Company's register of charges

- (1) Every limited company shall keep available for inspection a register of charges and enter in it—
  - (a) all charges specifically affecting property of the company, and
  - (b) all floating charges on the whole or part of the company's property or undertaking.
- (2) The entry shall in each case give a short description of the property charged, the amount of the charge and, except in the cases of securities to bearer, the names of the persons entitled to it.
- (3) If an officer of the company knowingly and wilfully authorises or permits the omission of an entry required to be made in pursuance of this section, he commits an offence.
- (4) A person guilty of an offence under this section is liable—
  - (a) on conviction on indictment, to a fine;
  - (b) on summary conviction, to a fine not exceeding the statutory maximum.

### Modifications etc. (not altering text)

- C2** Ss. 875-877 applied (with modifications) (1.10.2009) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) Regulations 2009 \(S.I. 2009/1804\)](#), regs. 2, 38

## 877 Instruments creating charges and register of charges to be available for inspection

- (1) This section applies to—
  - (a) documents required to be kept available for inspection under section 875 (copies of instruments creating charges), and
  - (b) a company's register of charges kept in pursuance of section 876.
- (2) The documents and register must be kept available for inspection—
  - (a) at the company's registered office, or
  - (b) at a place specified in regulations under section 1136.
- (3) The company must give notice to the registrar—
  - (a) of the place at which the documents and register are kept available for inspection, and
  - (b) of any change in that place,
 unless they have at all times been kept at the company's registered office.
- (4) The documents and register shall be open to the inspection—
  - (a) of any creditor or member of the company without charge, and
  - (b) of any other person on payment of such fee as may be prescribed.

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- (5) If default is made for 14 days in complying with subsection (3) or an inspection required under subsection (4) is refused, an offence is committed by—
- (a) the company, and
  - (b) every officer of the company who is in default.
- (6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale and, for continued contravention, a daily default fine not exceeding one-tenth of level 3 on the standard scale.
- (7) If an inspection required under subsection (4) is refused the court may by order compel an immediate inspection.

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**Modifications etc. (not altering text)**

- C3** Ss. 875-877 applied (with modifications) (1.10.2009) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) Regulations 2009 \(S.I. 2009/1804\)](#), regs. 2, **38**
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**Commencement Information**

- I1** S. 877 wholly in force at 1.10.2009; s. 877 not in force at Royal Assent, see s. 1300; s. 877 in force for specified purposes at 20.1.2007 by [S.I. 2006/3428](#), **art. 3(3)** (subject to [art. 5](#), [Sch. 1](#) and with [arts. 6](#), [8](#), [Sch. 5](#)); s. 877 otherwise in force at 1.10.2009 by [S.I. 2008/2860](#), **art. 3(n)** (with [arts. 5](#), [7](#), [8](#), [Sch. 2](#)) (as amended by [S.I. 2009/1802](#), [art. 18](#))

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