



Companies Act 2006

2006 CHAPTER 46

PART 25

COMPANY CHARGES

CHAPTER 3

POWERS OF THE SECRETARY OF STATE

893 Power to make provision for effect of registration in special register

- (1) In this section a “special register” means a register, other than [^{F1}the register], in which a charge to which [^{F2}Chapter A1] applies is required or authorised to be registered.
- (2) The Secretary of State may by order make provision for facilitating the making of information-sharing arrangements between the person responsible for maintaining a special register (“the responsible person”) and the registrar that meet the requirement in subsection (4).

“Information-sharing arrangements” are arrangements to share and make use of information held by the registrar or by the responsible person.

- (3) If the Secretary of State is satisfied that appropriate information-sharing arrangements have been made, he may by order provide that—
 - (a) the registrar is authorised not to register a charge of a specified description under [^{F3}Chapter A1],
 - (b) a charge of a specified description that is registered in the special register within a specified period is to be treated as if it had been registered (and certified by the registrar as registered) in accordance with the requirements of [^{F4}Chapter A1], and
 - (c) the other provisions of [^{F5}Chapter A1] apply to a charge so treated with specified modifications.

Status: Point in time view as at 03/10/2022.

Changes to legislation: Companies Act 2006, Chapter 3 is up to date with all changes known to be in force on or before 01 September 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)

- (4) The information-sharing arrangements must ensure that persons inspecting the [^{F6}register]—
- (a) are made aware, in a manner appropriate to the inspection, of the existence of charges in the special register which are treated in accordance with provision so made, and
 - (b) are able to obtain information from the special register about any such charge.
- (5) An order under this section may—
- (a) modify any enactment or rule of law which would otherwise restrict or prevent the responsible person from entering into or giving effect to information-sharing arrangements,
 - (b) authorise the responsible person to require information to be provided to him for the purposes of the arrangements,
 - (c) make provision about—
 - (i) the charging by the responsible person of fees in connection with the arrangements and the destination of such fees (including provision modifying any enactment which would otherwise apply in relation to fees payable to the responsible person), and
 - (ii) the making of payments under the arrangements by the registrar to the responsible person,
 - (d) require the registrar to make copies of the arrangements available to the public (in hard copy or electronic form).
- (6) In this section “specified” means specified in an order under this section.
- (7) A description of charge may be specified, in particular, by reference to one or more of the following—
- (a) the type of company by which it is created,
 - (b) the form of charge which it is,
 - (c) the description of assets over which it is granted,
 - (d) the length of the period between the date of its registration in the special register and the date of its creation.
- (8) Provision may be made under this section relating to registers maintained under the law of a country or territory outside the United Kingdom.
- (9) An order under this section is subject to negative resolution procedure.

Textual Amendments

- F1** Words in s. 893(1) substituted (6.4.2013) by [The Companies Act 2006 \(Amendment of Part 25\) Regulations 2013 \(S.I. 2013/600\)](#), reg. 1, [Sch. 2 para. 3\(2\)\(a\)](#) (with reg. 6)
- F2** Words in s. 893(1) substituted (6.4.2013) by [The Companies Act 2006 \(Amendment of Part 25\) Regulations 2013 \(S.I. 2013/600\)](#), reg. 1, [Sch. 2 para. 3\(2\)\(b\)](#) (with reg. 6)
- F3** Words in s. 893(3)(a) substituted (6.4.2013) by [The Companies Act 2006 \(Amendment of Part 25\) Regulations 2013 \(S.I. 2013/600\)](#), reg. 1, [Sch. 2 para. 3\(2\)\(c\)](#) (with reg. 6)
- F4** Words in s. 893(3)(b) substituted (6.4.2013) by [The Companies Act 2006 \(Amendment of Part 25\) Regulations 2013 \(S.I. 2013/600\)](#), reg. 1, [Sch. 2 para. 3\(2\)\(d\)](#) (with reg. 6)
- F5** Words in s. 893(3)(c) substituted (6.4.2013) by [The Companies Act 2006 \(Amendment of Part 25\) Regulations 2013 \(S.I. 2013/600\)](#), reg. 1, [Sch. 2 para. 3\(2\)\(e\)](#) (with reg. 6)
- F6** Word in s. 893(4) substituted (6.4.2013) by [The Companies Act 2006 \(Amendment of Part 25\) Regulations 2013 \(S.I. 2013/600\)](#), reg. 1, [Sch. 2 para. 3\(2\)\(f\)](#) (with reg. 6)

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Commencement Information

- 11** S. 893 wholly in force at 1.10.2009; s. 893 not in force at Royal Assent, see s. 1300; s. 893 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. 893 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**)

894 General power to make amendments to this Part

- (1) The Secretary of State may by regulations under this section—
- (a) amend this Part by altering, adding or repealing provisions,
 - (b) make consequential amendments or repeals in this Act or any other enactment (whether passed or made before or after this Act).
- (2) Regulations under this section are subject to affirmative resolution procedure.

Commencement Information

- 12** S. 894 wholly in force at 1.10.2009; s. 894 not in force at Royal Assent, see s. 1300; s. 894 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. 894 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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