

*Status: Point in time view as at 04/07/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Small Business, Enterprise and Employment Act 2015, PART 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

#### REGISTER OF PEOPLE WITH SIGNIFICANT CONTROL

#### PART 2

##### RELATED AMENDMENTS

3 The Companies Act 2006 is amended as follows.

**Commencement Information**

- I1** Sch. 3 para. 3 in force at 26.5.2015 for specified purposes by [S.I. 2015/1329, reg. 3\(a\)](#)  
**I2** Sch. 3 para. 3 in force at 6.4.2016 in so far as not already in force by [S.I. 2015/2029, reg. 4\(a\)](#)

4 In section 9 (registration documents), in subsection (4), at the end of paragraph (c) insert “;  
(d) a statement of initial significant control (see section 12A).”

**Commencement Information**

- I3** Sch. 3 para. 4 in force at 26.5.2015 for specified purposes by [S.I. 2015/1329, reg. 3\(a\)](#)  
**I4** Sch. 3 para. 4 in force at 30.6.2016 in so far as not already in force by [S.I. 2015/2029, reg. 5\(b\)](#)

5 After section 12 insert—

**“12A Statement of initial significant control**

- (1) The statement of initial significant control required to be delivered to the registrar must—
- (a) state whether, on incorporation, there will be anyone who will count for the purposes of section 790M (register of people with significant control over a company) as either a registrable person or a registrable relevant legal entity in relation to the company,
  - (b) include the required particulars of anyone who will count as such, and
  - (c) include any other matters that on incorporation will be required (or, in the absence of an election under section 790X, would be required) to be entered in the company's PSC register by virtue of section 790M.
- (2) It is not necessary to include under subsection (1)(b) the date on which someone becomes a registrable person or a registrable relevant legal entity in relation to the company.

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- (3) If the statement includes required particulars of an individual, it must also contain a statement that those particulars are included with the knowledge of that individual.
- (4) “Registrable person”, “registrable relevant legal entity” and “required particulars” have the meanings given in Part 21A (see sections 790C and 790K).”

**Commencement Information**

- I5** Sch. 3 para. 5 in force at 26.5.2015 for specified purposes by S.I. 2015/1329, reg. 3(a)  
**I6** Sch. 3 para. 5 in force at 30.6.2016 in so far as not already in force by S.I. 2015/2029, reg. 5(b)

- 6 In section 120 (information as to state of register and index), in subsection (1), for “there were no” substitute “ whether there are ”.

**Commencement Information**

- I7** Sch. 3 para. 6 in force at 26.5.2015 for specified purposes by S.I. 2015/1329, reg. 3(a)  
**I8** Sch. 3 para. 6 in force at 6.4.2016 in so far as not already in force by S.I. 2015/2029, reg. 4(a)

- 7 In section 1068 (registrar's requirements as to form, authentication and manner of delivery), in subsection (6A) (inserted by Schedule 5 to this Act), after “central register” insert “ or Chapter 4 of Part 21A (option to keep PSC information on central register) ”.

**Commencement Information**

- I9** Sch. 3 para. 7 in force at 26.5.2015 for specified purposes by S.I. 2015/1329, reg. 3(a)  
**I10** Sch. 3 para. 7 in force at 30.6.2016 in so far as not already in force by S.I. 2015/2029, reg. 5(b)

- 8 In section 1087 (material not available for public inspection), in subsection (1), after paragraph (ba) insert—
- “(bb) information to which sections 240 to 244 are applied by section 790ZF(1) (residential addresses of people with significant control over the company) or any corresponding provision of regulations under section 1046 (overseas companies);
- (bc) information that, by virtue of regulations under section 790ZG or any corresponding provision of regulations under section 1046, the registrar must omit from the material on the register that is available for inspection;”.

**Commencement Information**

- I11** Sch. 3 para. 8 in force at 26.5.2015 for specified purposes by S.I. 2015/1329, reg. 3(a)  
**I12** Sch. 3 para. 8 in force at 6.4.2016 in so far as not already in force by S.I. 2015/2029, reg. 4(a)

- 9 (1) Section 1126 (consents required for certain prosecutions) is amended as follows.
- (2) In subsection (1), at the end insert—

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“section 1112 of this Act (general false statement offence);  
paragraph 5 or 6 of Schedule 1B to this Act (breach of certain restrictions imposed under that Schedule)”.

- (3) In subsection (2)(a)—
- (a) omit the “or” at the end of sub-paragraph (ii), and
  - (b) after sub-paragraph (iii) insert “or  
(iv) section 1112 of this Act,”.
- (4) In subsection (2)(b), after “section 798 of” insert “ , or paragraph 5 or 6 of Schedule 1B to,”.
- (5) In subsection (3)(a)—
- (a) omit the “or” at the end of sub-paragraph (ii), and
  - (b) after sub-paragraph (iii) insert “or  
(iv) section 1112 of this Act,”.
- (6) In subsection (3)(b), after “section 798 of” insert “ , or paragraph 5 or 6 of Schedule 1B to,”.

**Commencement Information**

**I13** Sch. 3 para. 9 in force at 26.5.2015 for specified purposes by S.I. 2015/1329, reg. 3(a)

**I14** Sch. 3 para. 9 in force at 6.4.2016 in so far as not already in force by S.I. 2015/2029, reg. 4(a)

- 10 In section 1136 (regulations about where certain company records to be kept available for inspection), in subsection (2), after the entry for section 743 insert—
- “section 790M (register of people with significant control over a company);  
section 790Z (historic PSC register);”.

**Commencement Information**

**I15** Sch. 3 para. 10 in force at 26.5.2015 for specified purposes by S.I. 2015/1329, reg. 3(a)

**I16** Sch. 3 para. 10 in force at 6.4.2016 in so far as not already in force by S.I. 2015/2029, reg. 4(a)

- 11 In Schedule 8 (index of defined expressions), in the appropriate places insert—

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“legal entity (in Part 21A)	section 790C(5)”,
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“PSC register	section 790C(10)”,
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“registrable person (in Part 21A)	section 790C(4)”,
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“registrable relevant legal entity (in Part 21A)	section 790C(8)”,
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“relevant legal entity (in Part 21A)	section 790C(6)”,
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“significant control (in Part 21A) section 790C(2)”.

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**Commencement Information**

**I17** Sch. 3 para. 11 in force at 26.5.2015 for specified purposes by S.I. 2015/1329, reg. 3(a)

**I18** Sch. 3 para. 11 in force at 6.4.2016 in so far as not already in force by S.I. 2015/2029, reg. 4(a)

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