



Economic Crime and Corporate Transparency Act 2023

2023 CHAPTER 56

PART 3

REGISTER OF OVERSEAS ENTITIES

Correction or removal of material on the register

170 Administrative removal of material from register

- (1) In the Economic Crime (Transparency and Enforcement) Act 2022—
(a) for section 28 substitute—

“28 Administrative removal of material from the register

- (1) The registrar may remove from the register anything that appears to the registrar to be—
(a) a document, or material derived from a document, accepted under section 1073 of the Companies Act 2006 (power to accept documents not meeting requirements for proper delivery), or
(b) unnecessary material as defined by section 1074 of the Companies Act 2006.
- (2) The power to remove material from the register under this section may be exercised—
(a) on the registrar’s own motion, or
(b) on an application made in accordance with regulations under section 28A(2).
- (3) The Secretary of State may by regulations provide that the registrar’s power to remove material from the register under this section

Status: This is the original version (as it was originally enacted).

following an application is limited to material of a description specified in the regulations.

- (4) Regulations under this section are subject to the negative resolution procedure.

28A Further provision about removal of material from the register

- (1) The Secretary of State must by regulations make provision for notice to be given in accordance with the regulations where material is removed from the register under section 28 otherwise than on an application.
- (2) The Secretary of State must by regulations make provision in connection with the making and determination of applications for the removal of material from the register under section 28.
- (3) The provision that may be made under subsection (2) includes provision as to—
- (a) who may make an application,
 - (b) the information to be included in and documents to accompany an application,
 - (c) the notice to be given of an application and of its outcome,
 - (d) a period in which objections to an application may be made, and
 - (e) how an application is to be determined, including provision as to evidence that may be relied upon by the registrar for the purposes of satisfying the test in section 28(1).
- (4) The provision that may be made by virtue of subsection (3)(e) includes provision as to circumstances in which—
- (a) evidence is to be treated by the registrar as conclusive proof that the test in section 28(1) is met, and
 - (b) the power of removal must be exercised.
- (5) Regulations under this section may in particular confer a discretion on the registrar.
- (6) Regulations under this section are subject to the negative resolution procedure.”;
- (b) omit sections 29 and 29A (application to rectify register and resolution of discrepancies).
- (2) In section 1073 of the Companies Act 2006 (power to accept documents not meeting requirements for proper delivery), in subsection (6)(a), after “section 1094A(1)” (inserted by section 85 of this Act) insert “or any corresponding provision of any other enactment”.