

SCHEDULE 1

Article 3

FUNCTIONS OF THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES ENABLED TO BE CONTRACTED OUT

1. Any function of receiving any return, account or other document required to be filed with, delivered or sent, or notice of any matter required to be given, to the registrar which is conferred by or under any enactment.

Commencement Information

I1 Sch. 1 para. 1 in force at 5.4.1995, see **art. 1(3)**

2. Any functions in relation to—

- (a) the incorporation of companies and the change of name of companies by or under Chapters I and II of Part I of the Act (company formation; company names);
- (b) the re-registration and change of status of companies by or under Part II (re-registration as a means of altering a company's status) and sections 138 (registration of order and minute of reduction), 139 and 147 of the Act (re-registration of public companies on reduction of capital).

Commencement Information

I2 Sch. 1 para. 2 in force at 5.4.1995, see **art. 1(3)**

3. Functions conferred by or under any of the following provisions of the Act:

- (a) sections 705 and 705A(1) (companies' registered numbers and registration of branches of oversea companies) except insofar as they relate respectively to the determination of the form of companies' registered numbers and branches' registered numbers;
- (b) section 706(2) (delivery to the registrar of documents in legible form) except insofar as they relate to specification of requirements for the purpose of enabling the copying of documents delivered to the registrar;
- (c) section 707(3) (delivery to the registrar of documents other than in legible form) except insofar as they relate to the approval of the non-legible form in which information may be conveyed to the registrar;
- (d) section 709(4) (inspection etc. of records kept by the registrar) except insofar as they relate to the determination of the means of facilitating the exercise of the right of persons to inspect records kept by the registrar, or the form in which copies of the information contained in those records may be made available;
- (e) section 710 (certificate of incorporation); and

(1) Section 705 was substituted by section 145 of, and paragraph 14 of Schedule 19 to, the Companies Act 1989 (c. 40), and amended by regulation 4 of, and paragraph 5 of Schedule 3 to, S.I. 1992/3179; section 705A was inserted by regulation 3(2) of S.I. 1992/3179.

(2) Section 706 was substituted by section 125(1) of the Companies Act 1989, and amended by regulation 4 of, and paragraph 6 of Schedule 3 to, S.I. 1992/3179.

(3) Section 707 was substituted by section 125(2) of the Companies Act 1989, and amended by regulation 4 of, and paragraph 6 of Schedule 3 to, S.I. 1992/3179.

(4) Section 709 was substituted by section 126(2) of the Companies Act 1989.

Changes to legislation: There are currently no known outstanding effects for the The Contracting Out (Functions in relation to the Registration of Companies) Order 1995. (See end of Document for details)

- (f) section 710A(5) (provision and authentication by registrar of documents in non-legible form) except insofar as they relate to the approval of the means of communication to the registrar of information in non-legible form.

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Commencement Information
I3 Sch. 1 para. 3 in force at 5.4.1995, see **art. 1(3)**

^{F1}4.

F1 Sch. 1 para. 4 omitted (26.5.2015) by virtue of The Deregulation Act 2015 (Consequential Amendments) Order 2015 (S.I. 2015/971), art. 1(2)(a), **Sch. 5 para. 2**

- 5. Functions conferred by or under section 16 of the Limited Partnerships Act 1907(6) (inspection of statements registered).

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Commencement Information
I4 Sch. 1 para. 5 in force at 5.4.1995, see **art. 1(3)**

^{F2}6.

F2 Sch. 1 para. 6 revoked (1.12.2001) by The Financial Services and Markets Act 2000 (Consequential Amendments and Repeals) Order 2001 (S.I. 2001/3649), arts. 1, **490**

- 7. Functions conferred by or under regulation 14 of the Regulations (inspection of documents).

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Commencement Information
I5 Sch. 1 para. 7 in force at 5.4.1995, see **art. 1(3)**

- 8. Functions conferred by or under any provision of the Act listed in paragraphs 2 and 3 above to the extent specified in those paragraphs where any such provision is applied to [^{F3}UKEIGs or EEIG establishments] by regulation 18 of the Regulations (application of the Companies Act 1985).

F3 Words in Sch. 1 para. 8 substituted (31.12.2020) by The European Economic Interest Grouping (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1299), regs. 1, **64(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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Commencement Information
I6 Sch. 1 para. 8 in force at 5.4.1995, see **art. 1(3)**

(5) Section 710A was inserted by section 126(2) of the Companies Act 1989.
(6) 7 Edw. 7 c. 24.

SCHEDULE 2

Article 4

FUNCTIONS OF REGISTRAR OF COMPANIES FOR SCOTLAND EXCLUDED FROM CONTRACTING OUT

1. Functions conferred by or under any of the following provisions of the Act:
 - (a) section 242(7) (accounts and reports to be delivered to the registrar) so far as they relate to the making of an application to the court;
 - (b) sections 705 and 705A so far as they relate respectively to the determination of the form of companies' registered numbers and branches' registered numbers;
 - (c) section 706 so far as they relate to the specification of requirements for the purpose of enabling the copying of documents delivered to the registrar;
 - (d) section 707 so far as they relate to the approval of the non-legible form in which information may be conveyed to the registrar;
 - (e) section 707A(8) (the keeping of company records by the registrar) so far as they relate to the determination of the form in which the information contained in documents delivered to the registrar may be recorded and kept;
 - (f) section 708(5) (fees payable to the registrar);
 - (g) section 709 so far as they relate to the determination of the means of facilitating the exercise of the right of persons to inspect records kept by the registrar, or of the form in which copies of the information contained in these records may be made available;
 - (h) section 710A so far as they relate to the approval of the means of communication by the registrar of information in non-legible form; and
 - (i) section 713(9) (enforcement of company's duty to make returns) so far as they relate to the making of an application to the court.

Commencement Information

I7 Sch. 2 para. 1 in force at 5.4.1995, see [art. 1\(3\)](#)

2. Functions conferred by or under any of the following provisions of the Insolvency Act 1986(10):

- (a) section 69 (enforcement of receiver's duty to make returns etc.); and
- (b) section 170 (enforcement of liquidator's duty to make returns etc.).

Commencement Information

I8 Sch. 2 para. 2 in force at 5.4.1995, see [art. 1\(3\)](#)

3. Functions conferred by or under regulation 4(2) of the Regulations (transfer of official address).

(7) Section 242 was substituted by section 11 of the Companies Act 1989 and amended by regulation 2(1) and (2) of S.I. [1992/1083](#) and by section 30(4) of the Welsh Language Act [1993 \(c. 38\)](#).

(8) Section 707A was inserted by section 126(1) of the Companies Act 1989.

(9) Section 713(1) was amended by section 127(4) of the Companies Act 1989.

(10) [1986 c. 45](#).

Changes to legislation: There are currently no known outstanding effects for the *The Contracting Out (Functions in relation to the Registration of Companies) Order 1995*. (See end of Document for details)

Commencement Information

I9 Sch. 2 para. 3 in force at 5.4.1995, see **art. 1(3)**

4. Functions conferred by or under any provision of the Act or the Insolvency Act 1986 listed in paragraphs 1 and 2(a) above to the extent specified in these paragraphs where any such provision is applied to [F⁴UKEIGs or EEIG establishments] by regulation 18 or 19 of the Regulations.

F4 Words in Sch. 2 para. 4 substituted (31.12.2020) by *The European Economic Interest Grouping (Amendment) (EU Exit) Regulations 2018* (S.I. 2018/1299), regs. 1, **64(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I10 Sch. 2 para. 4 in force at 5.4.1995, see **art. 1(3)**

SCHEDULE 3

Article 5

FUNCTIONS OF THE SECRETARY OF STATE ENABLED TO BE CONTRACTED OUT

- 1.** Functions conferred by or under any of the following provisions of the Act:
- (a) section 26(2) (prohibition on registration of certain names except with the approval of the Secretary of State);
 - (b) section 244(5) (extension by Secretary of State of the period allowed for laying and delivering accounts and reports); and
 - (c) section 702(5) (extension by Secretary of State of period for delivering accounts and reports of an overseas company).

Commencement Information

I11 Sch. 3 para. 1 in force at 5.4.1995, see **art. 1(3)**

2. Functions conferred by or under section 2 of the Business Names Act 1985⁽¹¹⁾ (prohibition of use of certain business names).

Commencement Information

I12 Sch. 3 para. 2 in force at 5.4.1995, see **art. 1(3)**

3. Functions conferred by or under section 2 of the Business Names Act 1985 as applied to EEIGs by regulation 17 of the Regulations (application of Business Names Act 1985).

Commencement Information

I13 Sch. 3 para. 3 in force at 5.4.1995, see **art. 1(3)**

(11) 1985 c. 7.

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Changes to legislation: *There are currently no known outstanding effects for the The Contracting Out (Functions in relation to the Registration of Companies) Order 1995. (See end of Document for details)*

Changes to legislation:

There are currently no known outstanding effects for the The Contracting Out (Functions in relation to the Registration of Companies) Order 1995.