
STATUTORY INSTRUMENTS

2009 No. 1801

The Overseas Companies Regulations 2009

PART 9

MISCELLANEOUS PROVISIONS

Service of documents on director, secretary or permanent representative

75. The positions specified for the purposes of section 1140(2)(b) of the Companies Act 2006 (overseas companies that have registered particulars: persons on whom document may be served at registered address) are—

- (a) director,
- (b) secretary, and
- (c) permanent representative.

[^{F1}Enhanced disclosure documents]

76. The particulars, returns and other documents specified for the purposes of section 1078(5) of the Companies Act 2006 (overseas companies: [^{F2}enhanced disclosure documents]) are—

- (a) any return or document delivered under Part 2 (initial registration of particulars);
- (b) any return or document delivered under Part 3 (alterations in registered particulars);
- (c) any document delivered under Part 5 (delivery of accounting documents: general);
- (d) any document delivered under Part 6 (delivery of accounting documents: credit or financial institutions);
- (e) any return delivered under regulation 69 (return in case of winding up) or 70 (returns to be made by liquidator);
- (f) any notice under regulation 77 (duty to give notice of closure of UK establishment).

Textual Amendments

- F1** Reg. 76 heading substituted (31.12.2020) by [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/348\)](#), reg. 2, **Sch. 2 para. 7(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 76 substituted (31.12.2020) by [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/348\)](#), reg. 2, **Sch. 2 para. 7(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Duty to give notice of closure of UK establishment

77.—(1) If an overseas company closes a UK establishment in respect of which it has registered particulars under Part 2, it must forthwith give notice of that fact to the registrar.

(2) From the date on which notice is given under paragraph (1) the company is no longer obliged to deliver documents to the registrar in respect of that establishment.

(3) If a company fails to comply with paragraph (1) an offence is committed by—

- (a) the company, and
- (b) every officer or agent of the company who knowingly and willingly authorises or permits the default.

(4) A person guilty of an offence under this regulation is liable on summary conviction to—

- (a) a fine not exceeding level 3 on the standard scale, and
- (b) for continued contravention, a daily default fine not exceeding one-tenth of level 3 on the standard scale.

Changes to legislation:

There are currently no known outstanding effects for the The Overseas Companies Regulations 2009, PART 9.