
STATUTORY INSTRUMENTS

2009 No. 214

The Companies (Disclosure of Address) Regulations 2009

PART 3

**APPLICATION TO MAKE AN ADDRESS UNAVAILABLE
FOR PUBLIC INSPECTION UNDER SECTION 1088**

Application under section 1088 to make an address unavailable for public inspection by a person who registers a charge

11.—(1) A section 1088 application may be made to the registrar by a person who—

- (a) (i) ^{F1}... registered a charge under Part 12 of the 1985 Act (registration of charges) or Part 13 of the 1986 Order; or
- (ii) has registered a charge under Part 25 of the Act (company charges) [^{F2}or under regulations made under section 1052]; and

(b) is not the company which created the charge or acquired the property subject to a charge, in respect of his address delivered to the registrar for the purposes of that registration.

(2) The grounds on which an application under paragraph (1) may be made are that the person making the application considers that there is a serious risk that he, or if applicable his employees, or persons who live with him or his employees, will be subjected to violence or intimidation as a result of the activities of the company which is, or was, subject to the charge.

(3) The application shall—

- (a) contain—
 - (i) a statement of the grounds on which the application is made;
 - (ii) the name of the applicant, and where the applicant is a company, its registered number;
 - (iii) the address of the applicant that is to be made unavailable for public inspection;
 - (iv) the name and registered number of the company which is or was subject to the charge;
 - (v) an address for correspondence with the registrar in respect of the application;
 - (vi) where the applicant is the chargee, the service address which is to replace the address of the applicant on the register; and
- (b) be accompanied by evidence which supports the applicant's assertion that there is a serious risk that he or, if applicable, his employees, or persons who live with him or his employees, will be subjected to violence or intimidation as a result of the activities of the company which is or was subject to the charge.

(4) The registrar may refer to a relevant body any question relating to the assessment of the nature and extent of any risk of violence or intimidation considered by the applicant to arise in relation to

himself or, if applicable, his employees, or persons who live with him or his employees, as a result of the activities of the company which is or was subject to the charge.

(5) The registrar shall determine the application and send the applicant to the address stated in the application in accordance with paragraph (3)(a)(v) notice of his determination on the section 1088 application within five working days of that determination being made.

Textual Amendments

- F1** Words in [reg. 11\(1\)\(a\)\(i\)](#) omitted (26.4.2018) by virtue of [The Companies \(Disclosure of Address\) \(Amendment\) Regulations 2018 \(S.I. 2018/528\)](#), regs. 1(1), **4(4)** (with [reg. 8](#))
- F2** Words in [reg. 11\(1\)\(a\)\(ii\)](#) inserted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 270(3)**

Changes to legislation:

There are currently no known outstanding effects for the The Companies (Disclosure of Address) Regulations 2009, Section 11.