
STATUTORY INSTRUMENTS

2017 No. 694

**The Scottish Partnerships (Register of People
with Significant Control) Regulations 2017**

PART 3

Registration of Scottish qualifying partnerships

Duty on Scottish qualifying partnerships to register

5. A Scottish qualifying partnership must deliver to the registrar the information set out in regulation 6, referred to in these Regulations as the “registration information”, together with the information required by Part 5 (duty to deliver information to the registrar) within the period of 14 days beginning with—

- (a) 24th July 2017, if it is a qualifying partnership on that day;
- (b) any day after 24th July 2017 on which it becomes a qualifying partnership, either as a result of—
 - (i) its formation,
 - (ii) a change in its partners, or
 - (iii) a change in the partners in its partners.

Registration information

6.—(1) The registration information is set out in paragraphs (2) and (3).

(2) In relation to the Scottish qualifying partnership, the information is—

- (a) its name;
- (b) a service address for that partnership; and
- (c) confirmation that it is a general partnership that is a qualifying partnership and is constituted under the law of Scotland.

(3) In relation to each partner in the Scottish qualifying partnership, the information is—

- (a) the partner’s full name, and
- (b) if applicable, the register in which it is entered (including details of the state) and its registration number in that register.

(4) In paragraph (3)(b) “register” includes—

- (a) the register maintained under section 1080(1) of the Companies Act 2006 elsewhere in the United Kingdom, and
- (b) any comparable register maintained in a country or territory outside the United Kingdom.

Notification of changes to the registration information

7. Save as provided in regulation 8(3), if any change is made or occurs as a result of which the registration information in relation to a Scottish qualifying partnership is incorrect or incomplete, the Scottish qualifying partnership must deliver to the registrar a notice setting out the correct and complete registration information within the period of 14 days beginning with the day on which the Scottish qualifying partnership becomes aware of the change.

Effect of a partnership ceasing to be a Scottish qualifying partnership

8.—(1) Subject to paragraph (2), a partnership which has ceased to be a Scottish qualifying partnership must deliver to the registrar within the period of 14 days beginning with the day it ceases to be a Scottish qualifying partnership a notice stating—

- (a) that it has ceased to be a Scottish qualifying partnership, and
- (b) the date on which it ceased to be a Scottish qualifying partnership.

(2) If the partnership ceases to be a qualifying partnership due to its dissolution, the former partners must deliver the notice in paragraph (1) to the registrar.

(3) A partnership which has delivered a notice under this regulation is not required to deliver to the registrar any notice in relation to any change or occurrence occurring after the day specified in the notice in paragraph (1)(b) under—

- (a) regulation 7 (notification of changes to the registration information);
- (b) Part 5 (duty to deliver information to the registrar); or
- (c) Part 6 (confirmation statement).

(4) If a partnership which has delivered a notice under paragraph (1) subsequently becomes a Scottish qualifying partnership, the partnership—

- (a) must register under regulation 5 (duty on Scottish qualifying partnerships to register) to receive a new registration number; and
- (b) is not required to comply with regulation 11 (duty to keep information up to date) and 20 (duty to deliver information about a relevant change) in relation to any period during which it is not a Scottish qualifying partnership.

Offences in relation to registration

9.—(1) If a Scottish qualifying partnership fails to comply with regulation 5, 7 or 8, an offence is committed by—

- (a) the Scottish qualifying partnership, and
- (b) every officer of the Scottish qualifying partnership who is in default.

(2) If an obligation under regulation 8(2) is not complied with, an offence is committed by every former partner who permits or fails to take all reasonable steps to prevent the non-compliance.

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

- (a) in England and Wales to a fine, and, for continued contravention, a daily default fine not exceeding the greater of £500 and one-tenth of level 4 on the standard scale;
- (b) in Scotland or Northern Ireland, to a fine not exceeding level 5 on the standard scale and, for continued contravention, a daily default fine not exceeding the greater of £500 and one-tenth of level 4 on the standard scale.