
STATUTORY INSTRUMENTS

2022 No. 725

**The Register of Overseas Entities (Verification
and Provision of Information) Regulations 2022**

PART 3

Information provided under section 42(1)(c) of the ECTEA

Provision of information under section 42(1)(c)

9.—(1) Subject to paragraph (2), a person who delivers section 42(1)(c) information to the registrar must do so by email.

(2) Paragraph (1) does not apply in respect of information to which the exception in regulation 4 of the Register of Overseas Entities (Delivery, Protection and Trust Services) Regulations 2022 applies.

Publication of section 42(1)(c) information

10.—(1) Subject to paragraph (2), section 4(2)(1)(c) information must be made available for public inspection for a period of no less than two years, following which the registrar may transfer any such information to the Public Record Office.

(2) The registrar must not make any section 42(1)(c) information available for public inspection where that information comprises material of a type described in section 22 of the ECTEA (material unavailable for inspection).

Modification of section 20 of the ECTEA

11. Section 20 of the ECTEA (annotation of the register) applies in respect of section 42(1)(c) information as if—

- (a) for the heading there were substituted “Annotation of section 42(1)(c) information”;
- (b) in subsection (1)—
 - (i) for the words before paragraph (a) there were substituted—

“The registrar may place a note on a document containing section 42(1)(c) information recording”;
 - (ii) for paragraph (a), there were substituted—

“(a) the date on which a document containing section 42(1)(c) information is delivered to the registrar or otherwise in connection with the information”;
- (c) subsections (2) and (6) were omitted;
- (d) in subsection (5), for the words before paragraph (a) there were substituted—

“The exercise of the registrar’s power under subsection (1) with respect to annotation of section 42(1)(c) information is subject to the court’s power under section 31 (power of court on ordering removal of material) to direct”.

(e) after subsection (5) there were inserted—

“(5A) In this section and sections 28 and 30, “section 42(1)(c) information” is information delivered to the registrar under section 42(1)(c) of this Act (requirement for certain unregistered overseas entities to provide information).”.

Modification of section 28 of the ECTEA

12. Section 28 of the ECTEA (administrative removal of material from register) applies in respect of section 42(1)(c) information provided to the registrar as if—

- (a) for the heading there were substituted “Administrative removal of section 42(1)(c) information from public inspection”;
- (b) in subsection (1) in the words before paragraph (a), for “the register” there were substituted “public inspection”;
- (c) in subsection (2)—
 - (i) at the end of paragraph (a) there were inserted “or”;
 - (ii) paragraph (c) were omitted.

Modification of section 30 of the ECTEA

13. Section 30 of the ECTEA (court order to rectify register) applies in respect of section 42(1)(c) information as if—

- (a) for the heading there were substituted “Court order to remove section 42(1)(c) information from public inspection”;
- (b) in subsection (1)—
 - (i) in the words before paragraph (a), for “the register” there were substituted “public inspection”;
 - (ii) in the words after paragraph (b), for “the register” there were substituted “public inspection”;
- (c) subsections (2) and (3) were omitted.