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DRAFT STATUTORY INSTRUMENTS

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**2009 No.**

**The Limited Liability Partnerships (Application  
of Companies Act 2006) Regulations 2009**

**PART 9**

**LLP CHARGES**

**CHAPTER 1**

**LLPS REGISTERED IN ENGLAND AND WALES OR IN NORTHERN IRELAND**

**LLPs' records and registers**

**38.** Sections 875 to 877 apply to LLPs, modified so that they read as follows—

**“LLPs to keep copies of instruments creating charges**

**875.**—(1) An LLP must keep available for inspection a copy of every instrument creating a charge requiring registration under this Chapter, including any document delivered to the LLP under section 868(3)(b) (Northern Ireland: orders imposing charges affecting land).

(2) In the case of a series of uniform debentures, a copy of one of the debentures of the series is sufficient.

**LLP's register of charges**

**876.**—(1) Every LLP shall keep available for inspection a register of charges and enter in it—

- (a) all charges specifically affecting property of the LLP, and
- (b) all floating charges on the whole or part of the LLP's property or undertaking.

(2) The entry shall in each case give a short description of the property charged, the amount of the charge and, except in the cases of securities to bearer, the names of the persons entitled to it.

(3) If a member of the LLP knowingly and wilfully authorises or permits the omission of an entry required to be made in pursuance of this section, he commits an offence.

(4) A person guilty of an offence under this section is liable—

- (a) on conviction on indictment, to a fine;
- (b) on summary conviction, to a fine not exceeding the statutory maximum.

**Instruments creating charges and register of charges to be available for inspection**

**877.**—(1) This section applies to—

- (a) documents required to be kept available for inspection under section 875 (copies of instruments creating charges), and
  - (b) an LLP's register of charges kept in pursuance of section 876.
- (2) The documents and register must be kept available for inspection—
  - (a) at the LLP's registered office, or
  - (b) at a place specified in Part 2 of the Companies (Company Records) Regulations 2008 ([S.I. 2008/3006](#)).
- (3) The LLP must give notice to the registrar—
  - (a) of the place at which the documents and register are kept available for inspection, and
  - (b) of any change in that place,unless they have at all times been kept at the LLP's registered office.
- (4) The documents and register shall be open to the inspection—
  - (a) of any creditor or member of the LLP without charge, and
  - (b) of any other person on payment of the fee prescribed by regulation 2(c) of the Companies (Fees for Inspection of Company Records) Regulations 2008 ([S.I. 2008/3007](#)).
- (5) If default is made for 14 days in complying with subsection (3) or an inspection required under subsection (4) is refused, an offence is committed by—
  - (a) the LLP, and
  - (b) every member of the LLP who is in default.
- (6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale and, for continued contravention, a daily default fine not exceeding one-tenth of level 3 on the standard scale.
- (7) If an inspection required under subsection (4) is refused the court may by order compel an immediate inspection.”.