

2004 No. 2620

PARTNERSHIP

LIMITED LIABILITY PARTNERSHIPS

The Limited Liability Partnerships (Fees) Regulations 2004

Approved by both Houses of Parliament

<i>Made - - - - -</i>	<i>6th October 2004</i>
<i>Laid before Parliament</i>	<i>11th October 2004</i>
<i>Coming into force - -</i>	<i>1st February 2005</i>

The Secretary of State, in exercise of the powers conferred on her by section 708(1) of the Companies Act 1985(a), as applied to limited liability partnerships by regulation 4 of and Schedule 2 to the Limited Liability Partnerships Regulations 2001(b) and of all other powers enabling her in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Limited Liability Partnerships (Fees) Regulations 2004 and shall come into force on 1st February 2005.

Interpretation

2. In these Regulations—

“the 1985 Act” means the Companies Act 1985;

“the 2000 Act” means the Limited Liability Partnerships Act 2000(c);

“document package” means one of the sets of copies of documents relating to a limited liability partnership (in so far as such documents are delivered to the registrar of companies by the limited liability partnership) as described in one of the paragraphs in Schedule 2 and with the maximum number of documents in each package being as specified in Schedule 3, with the documents in the package being primarily determinable in reverse order of the dates of delivery to the registrar of companies;

“electronic information service” means a service by which information is accessed by the applicant in Hyper Text Markup Language using a website of the registrar of companies with no requirement for the applicant to deliver an access code;

“electronic subscription service” means a service by which information is accessed by the applicant in Hyper Text Markup Language using a website of the registrar of companies by delivering a non-encrypted access code;

“index” means one of the following indexes kept by the registrar of companies—

(a) 1985 c. 6; section 708(1) has been amended by the Companies Act 1989 (1989 c. 40).

(b) S.I. 2001/1090.

(c) 2000 c. 12.

(a) the index of company and corporate names and numbers;

(b) the index of charges;

“limited liability partnership report” means a report containing the information relating to a limited liability partnership set out in Schedule 1 in so far as recorded by the registrar of companies in records kept by her for the purposes of the 1985 Act, as applied to limited liability partnerships;

“relevant document” means in relation to entry 2 in Schedule 3 a document which a limited liability partnership is required to deliver to the registrar of companies under any provisions of the 2000 Act or the 1985 Act, as applied to limited liability partnerships, other than a document in relation to the delivery of which a fee is specified in any other entry in Schedule 3;

“relevant period” means one of the following periods—

(a) the period beginning with the incorporation of a limited liability partnership and ending immediately after the delivery to the registrar of companies of its first annual return; or

(b) a period beginning immediately after delivery to the registrar of companies of an annual return and ending immediately after delivery to her of the next annual return;

“same day” means, in relation to a registration or provision of a certificate or certified copy, any such matter in relation to which—

(a) a request for same day registration, provision of a certificate or certified copy (as the case may be) and all documents required to be delivered to the registrar of companies in connection therewith, are received by the registrar of companies—

(i) in the case of a request for provision of a certificate or a certified copy, before 2.00 pm on the day in question, or

(ii) in other cases, before 3.00 pm on that day, and

(b) the registration (where requisite) is completed and the appropriate certificate or certified copy is issued to the applicant on that day;

“searchroom terminal” means a computer terminal operated by the applicant at an office of the registrar of companies.

Revocations

3.—(1) Subject to paragraph (2), these Regulations revoke the Limited Liability Partnerships (Fees) (No. 2) Regulations 2001^(a) and the Limited Liability Partnerships (Fees) (Amendment) Regulations 2002^(b).

(2) The fee prescribed in relation to entry 2 in the Schedule to the Limited Liability Partnerships (Fees) (No. 2) Regulations 2001 applies to the delivery of an annual return—

(a) in relation to which the return date is earlier than 1st February 2005; or

(b) which is delivered before 1st February 2005.

Fees payable to the registrar of companies

4.—(1) Subject to paragraph 2, the fees set out in the second column of Schedule 3 shall be the fees payable in respect of the performance by the registrar of companies of her functions in relation to the matters specified in the first column of that Schedule and shall be payable—

(a) in relation to entries 2 and 15 in Schedule 3, as stated in those entries;

(b) in relation to all other matters, on the performance by the registrar of companies of the relevant function.

(2) The fee prescribed in relation to entry 15 in Schedule 3 is not payable in respect of any month for which the applicant pays a fee to the registrar of companies for an electronic subscription service under Regulations providing for fees in respect of functions of the registrar of companies in relation to companies or of the Department of Trade and Industry in relation to European Economic Interest Groupings.

(a) S.I. 2001/969.

(b) S.I. 2002/2895.

Application of fees

5. The fees prescribed in regulation 4 apply—
- (a) in relation to entries 1, 3, 4 and 5 in Schedule 3, to any matter in respect of which every document necessary for the registrar of companies to carry out her functions in respect of that matter is delivered to her on or after 1st February 2005;
 - (b) in relation to entry 2 in that Schedule, to the delivery of any annual return—
 - (i) in relation to which the return date is on or after 1st February 2005, and
 - (ii) which is delivered on or after 1st February 2005;
 - (c) in relation to entries 6 to 14 (inclusive) and 16 and 17 in that Schedule, to any matter in respect of which a request is received by the registrar of companies on or after 1st February 2005;
 - (d) in relation to entry 15 in that Schedule, in respect of February 2005 and any subsequent months.

Gerry Sutcliffe,
Parliamentary Under Secretary of State for Employment
Relations, Postal Services and Consumers,
Department of Trade and Industry

6th October 2004

SCHEDULE 1

Regulation 2

CONTENTS OF LIMITED LIABILITY PARTNERSHIP REPORT

Limited liability partnership register information

1. Information relating to the limited liability partnership including its registered number, its date of incorporation, its name and the number of registered charges.
2. Any previous names.
3. A list of dates including those relating to latest annual accounts and annual returns and dates for the next such documents to be delivered to the registrar of companies.

Appointments and charges

4. At the option of the applicant, either or both of the following sets of particulars—
 - (a) particulars of members of the limited liability partnership;
 - (b) particulars of charges registered in respect of the limited liability partnershipexcept that an applicant using electronic information service can not elect to have only the particulars under (b).

Recent filing history

5. List of documents delivered to the registrar of companies during the previous 18 months up to a maximum of 100 documents listed in the reverse order of the dates of delivery.

SCHEDULE 2

Regulation 2

DOCUMENT PACKAGES

Listed below are the document packages and the documents included in each package

1. General Package

Incorporation documents and name changes documents

Any documents relating to strike-off

Latest annual accounts and notices specifying accounting reference date or extending the period allowed for delivering the accounts and the auditors' report

Latest annual return

Notification of change among members and changes in registered office in each case since the date to which the latest annual return was made up

2. Current Package

Latest annual accounts and notices specifying accounting reference date or extending the period allowed for delivering the accounts and the auditors' report

Latest annual return

Notification of change among members and changes in registered office in each case since the date to which the latest annual return was made up

Any documents relating to strike-off

3. Charges Package

Charge related documents since incorporation

The limited liability partnership report containing the particulars in paragraph 4(b) of Schedule 1 but not the particulars in paragraph 4(a) of that Schedule

4. Insolvency Package

Company Voluntary Arrangements, Administration, Receivership, Winding Up, Dissolution and strike-off related documents delivered to the registrar of companies since April 1995

5. Accounts Package

Annual accounts and notices specifying accounting reference date or extending the period allowed for delivering the accounts and the auditors' report

The limited liability partnership report

6. Package of documents delivered in a calendar year selected by the applicant

Documents delivered to the registrar of companies by the limited liability partnership in a calendar year selected by the applicant (not available for years prior to 2003)

SCHEDULE 3

Regulation 4

FEES PAYABLE TO THE REGISTRAR OF COMPANIES

Matter in relation to which fee is payable	Amount of fee
1. Registration of a limited liability partnership on its incorporation under the 2000 Act— (a) other than same day registration (b) same day registration	£20.00 £50.00
2. Delivery by a limited liability partnership of all relevant documents during a relevant period, payable at the end of that period on delivery by the limited liability partnership of its annual return under section 363 of the 1985 Act, as applied to limited liability partnerships by the Limited Liability Partnerships Regulations 2001	£30.00
3. Registration of a change of name of a limited liability partnership under paragraph 4 of the Schedule to the 2000 Act (other than a change made in response to a direction of the Secretary of State under paragraph 4(2) of that Schedule)— (a) other than same day registration (b) same day registration	£10.00 £50.00
4. Registration of a charge under Part XII of the 1985 Act, as applied to limited liability partnerships	£13.00
5. Application by a limited liability partnership under section 652A of the 1985 Act, as applied to limited liability partnerships, for the limited liability partnership's name to be struck off the register	£10.00
6. Provision of a copy of an index page delivered by email or fax or on paper delivered by post or at an office of the registrar of companies	£2.00
7. Provision of particulars of the members of a limited liability partnership, particulars of charges registered in respect of a limited liability partnership, or particulars of memberships of limited liability partnerships held by a named person— (a) inspection of information using electronic subscription service or searchroom terminal (b) copy of information delivered by email or fax or on paper delivered by post or at an office of the registrar of companies	£1.00 £3.00
8. Provision of a limited liability partnership report— (a) using electronic information service, electronic subscription service or searchroom terminal (b) delivered by email or fax or on paper delivered by post or at an office of the registrar of companies	£1.00 £3.00
9. Provision of a copy of the register of charges with respect to a limited liability partnership	£3.00
10. Inspection or provision of a copy of a document— (a) inspection using electronic subscription service (b) inspection using searchroom terminal (c) provision of a copy without prior inspection using electronic information service, electronic subscription service or searchroom terminal (d) copy delivered by email or on paper delivered by post or at an office of the registrar of companies (e) copy requested by telephone or using electronic subscription service and delivered by fax	£4.00 £2.00 £1.00 £3.00 £3.00
11. Printing a screen of information using searchroom terminal by the applicant at an office of the registrar of companies where no fee is chargeable for inspecting that information	£0.10
12. Provision of a document package of up to 25 documents requested at an office of the registrar of companies or using a searchroom terminal and delivered on paper at that office of the registrar of companies	£7.00

Matter in relation to which fee is payable	Amount of fee
13. Provision of a document package of up to 50 documents requested using electronic subscription service— (a) delivered using the electronic subscription service (b) delivered by post on paper	£4.00 £20.00
14. Inspection and provision of a copy of an original document delivered to the registrar of companies in legible form, when the record of the contents kept by the registrar of companies is illegible or unavailable— (a) inspection only (b) inspection and copy	£6.00 £9.00
15. Fee for electronic subscription service, for each calendar month payable in arrears at the end of that month	£5.00
16. Provisions of a certified copy of a document or extract from a document provided pursuant to section 709(1)(b) of the 1985 Act, as applied to limited liability partnerships (a) up to 10 pages (including the tenth page) (b) each page thereafter (c) same day delivery (d) additional fee for same day delivery by fax	£15.00 £1.00 £50.00 £3.00
17. Certificate of incorporation provided pursuant to section 710 of the 1985 Act, as applied to limited liability partnerships— (a) for the first certificate relating to a limited liability partnership provided on any one occasion (b) each additional certificate relating to the same limited liability partnership provided on the same occasion (c) same day delivery (d) additional fee for same day delivery by fax	£15.00 £10.00 £50.00 £3.00

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace the Limited Liability Partnerships (Fees) (No. 2) Regulations 2001, as amended. They provide for a revised scale of fees to be payable to the registrar of companies with effect from 1st February 2005. Provision has been included for certain fees previously determined administratively by the registrar. The fees cover functions of the registrar, including those in relation to the registration of limited liability partnerships, the delivery to the registrar of documents relating to limited liability partnerships, registration of charges and dissemination of information relating to limited liability partnerships.

The scale of fees is set out in Schedule 3 to the Regulations. The fees either remain the same or in some cases—such as certain fees for provision of information—are reduced.

STATUTORY INSTRUMENTS

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£3.00

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Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E1373 11/2004 141373 19585

ISBN 0-11-049921-2



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