
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedules 1 and 3 to the Limited Liability Partnerships Regulations 2001 (S.I.2001/1090) (“the principal regulations”). The principal regulations apply certain provisions of the Companies Act 1985 (c. 6) (“the 1985 Act”) and the Insolvency Act 1986 (c. 45) (“the 1986 Act”) to limited liability partnerships (“LLPs”).

Regulation 3 of the principal regulations applies Part 7 of the 1985 Act (accounts and audit) to LLPs, with the modifications set out in Schedule 1 to the principal regulations. Part 7 has been amended in particular by the Directors' Remuneration Report Regulations 2002 (S.I. 2002/1986), by the Companies Act 1985 (International Accounting Standards and Other Accounting Amendments) Regulations 2004 (S.I. 2004/2947) and by the Companies Act 1985 (Operating and Financial Review and Directors' Report etc.) Regulations 2005 (S.I. 2005/1011). Regulation 2 of, and Schedule 1 to, the Regulations contain further modifications to the provisions of Part 7 of the 1985 Act consequential upon those amendments.

Regulation 5 of the principal regulations applies provisions of the 1986 Act to LLPs, with the modifications set out in Schedule 3 to the principal regulations. The 1986 Act has been amended by the Insolvency Act 2000 (c. 39), by the Insolvency Act 1986 (Amendment) Regulations 2002 (S.I. 2002/1037), by the Insolvency Act 1986 (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1240) and by the Enterprise Act 2002 (c. 40). As a consequence of these amendments to the 1986 Act regulation 3 of, and Schedule 2 to, the Regulations amend the modifications to the 1986 Act as set out in Schedule 3 to the principal regulations.

Regulation 4 makes transitional provision for cases where a petition for an administration order has been presented before the commencement of these Regulations. In such a case the amendments made by these Regulations shall not apply.

A full regulatory impact assessment of the effect that S.I. 2004/2947, and associated instruments such as these Regulations, will have on the costs of business is available from the Department of Trade and Industry, Corporate Law and Governance Directorate, 5th floor, 1 Victoria Street, London, SW1H 0ET (they are also available electronically at). Copies have also been placed in the libraries of both Houses of Parliament.

A full regulatory impact assessment has not been produced for the amendments made by regulation 3 of, and Schedule 2 to, this instrument as they have no impact on the costs of business.