

2007 No. 3535

COMPANIES

The Companies (Fees for Inspection and Copying of Company Records) (No.2) Regulations 2007

<i>Made</i> - - - -	<i>17th December 2007</i>
<i>Laid before Parliament</i>	<i>17th December 2007</i>
<i>Coming into force</i> - -	<i>6th April 2008</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 744(1)(b), 744(2), 749(1), 1137(1) and (4), 1167, and 1292(1)(a) and (c) of the Companies Act 2006(a).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Companies (Fees for Inspection and Copying of Company Records) (No.2) Regulations 2007 and come into force on 6th April 2008.

(2) In these Regulations—

- (a) “the Act” means the Companies Act 2006; and
- (b) “the Commencement Order” means the Companies Act 2006 (Commencement No. 5, Transitional Provisions and Savings) Order 2007(b).

Fee for inspection of register of debenture holders

2. For the purpose of section 744(1)(b) of the Act (inspection of register of debenture holders) the fee prescribed is £3.50 for each hour or part thereof during which the right of inspection is exercised.

Fee for copy of register of debenture holders

3.—(1) The fee prescribed for the purpose of section 744(2) of the Act (copy of entries in register of debenture holders) is—

- (a) the amount per number of entries copied by the company as set out in paragraph (2); and
- (b) the reasonable costs incurred by the company in delivering the copy of the entries to the person entitled to be provided with that copy.

(2) The amounts per number of entries copied are—

- (a) £1 for each of the first 5 entries;
- (b) £30 for the next 95 entries or part thereof;

(a) 2006 c.46.

(b) S.I. 2007/3495 (C. 150).

- (c) £30 for the next 900 entries or part thereof;
- (d) £30 for the next 99,000 entries or part thereof; and
- (e) £30 for the remainder of the entries in the register or part thereof.

Fee for copy of debenture trust deed

4. The fee prescribed for the purpose of section 749(1) of the Act (right of debenture holder to copy of debenture trust deed) is—

- (a) 10 pence per 500 words or part thereof copied; and
- (b) the reasonable costs incurred by the company in delivering the copy of the debenture trust deed or part thereof to the person entitled to be provided with it.

Revocation and savings: Great Britain

5.—(1) In the Companies (Inspection and Copying of Registers, Indices and Documents) Regulations 1991(a) (“the 1991 Regulations”) the following paragraphs of Schedule 2 are revoked, subject to paragraph (2) of this regulation—

- (a) paragraph 1(a) (fee for inspection of register of debenture holders);
- (b) paragraph 2(a) (fee for copies of entries in the register of debenture holders); and
- (c) paragraph 3(a) (fees for copies of trust deeds).

(2) The fees prescribed in paragraphs 1(a), 2(a) and 3(a) of Schedule 2 to the 1991 Regulations shall continue to apply in respect of requests relating to the register of debenture holders or a debenture trust deed of a company which are subject to section 191(1) to (6) of the Companies Act 1985(b) by virtue of paragraph 22(2) of Schedule 4 to the Commencement Order.

Revocation and savings: Northern Ireland

6.—(1) In the Companies (Inspection and Copying of Registers, Indices and Documents) Regulations 1993 (Northern Ireland)(c) (“the 1993 Regulations”) the following paragraphs of Schedule 2 are revoked, subject to paragraph (2) of this regulation—

- (a) paragraph 1(a) (fee for inspection of register of debenture holders);
- (b) paragraph 2(a) (fee for copies of entries in the register of debenture holders); and
- (c) paragraph 3(a) (fees for copies of trust deeds).

(2) The fees prescribed in paragraphs 1(a), 2(a) and 3(a) of Schedule 2 to the 1993 Regulations shall continue to apply in respect of requests relating to the register of debenture holders or a debenture trust deed of a company which are subject to Article 200(1) to (6) of the Companies (Northern Ireland) Order 1986(d) by virtue of paragraph 22(2) of Schedule 4 to the Commencement Order.

17th December 2007

Stephen Timms
Minister of State for Competitiveness
Department for Business, Enterprise and Regulatory Reform

(a) S.I. 1991/1998.
(b) 1985 c.6.
(c) S.R. (N.I.) 1993 No. 66.
(d) S.I. 1986/1032 (N.I. 6).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the fees payable by a person who wishes to exercise a right under the Companies Act 2006 (c.46) to inspect the register of debenture holders of a company or to receive a copy of that register or a copy of a debenture trust deed (regulations 2, 3 and 4). These Regulations replace fees prescribed in earlier legislation subject to transitional savings (regulations 5 and 6).

An Impact Assessment in respect of these Regulations has been produced and copies are available from the Company Law and Governance Directorate, Department for Business, Enterprise and Regulatory Reform, 1 Victoria Street, London, SW1H 0ET or on www.berr.gov.uk/bbf/co-act-2006.

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