

SCHEDULE 1

AMENDMENTS TO THE 2009 REGULATIONS

PART 1

7. In regulation 66 (Inspection etc of the register)—
- (a) in the modification of section 1087A (Information about a person’s date of birth) for subsections (3) to (6), substitute—
- “(3) A “relevant person” is an individual—
- (a) who is an LLP member, or
- (b) whose particulars are stated in an LLP’s PSC register as a registrable person in relation to that LLP (see Part 21A).
- (4) A document delivered to the registrar is “protected” at any time unless—
- (a) it is an election period document,
- (b) subsection (7) applies to it at the time, or
- (c) it was registered before this section comes into force.
- (5) As regards DOB information about a relevant person in his or her capacity as a member of the LLP, each of the following is an “election period document”—
- (a) a statement of the proposed members of the proposed LLP delivered under section 2 of the Limited Liability Partnerships Act 2000 in circumstances where the proposed members gave notice of election under section 167A (election to keep information on central register) in respect of the LLP’s register of members when the statement was delivered;
- (b) a document delivered by the LLP under section 167D (duty to notify register of changes while election in force).
- (6) As regards DOB information about a relevant person in his or her capacity as someone whose particulars are stated in the LLP’s PSC register, each of the following is an “election period document”—
- (a) a statement of initial significant control delivered under section 2 of the Limited Liability Partnerships Act 2000 in circumstances where the subscribers wishing to form an LLP gave notice of an election under section 790X in respect of an LLP when the statement was delivered;
- (b) a document containing a statement or updated statement delivered by the LLP under section 790X(6)(b) or (7) (statement accompanying notice of election made after incorporation);
- (c) a document delivered by the LLP under section 790ZA (duty to notify registrar of changes while election in force).
- (7) This subsection applies to a document if—
- (a) the DOB information relates to the relevant person in his or her capacity as a member of the LLP,
- (b) an election under section 167A is or has previously been in force in respect of the LLP’s register of members,
- (c) the document was delivered to the registrar at some point before that election took effect,

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- (d) the relevant person was a member of the LLP when that election took effect, and
- (e) the document was either—

- (i) a statement of proposed members delivered under section 2 of the Limited Liability Partnerships Act 2000 (Incorporation document etc) naming the relevant person as someone who was to be a member of the LLP, or
- (ii) notice given under section 9 of that Act (registration of membership changes) of the relevant person having become a member of the LLP.

(8) Information about a person does not cease to fall within subsection (1) when he or she ceases to be a relevant person and, to that extent, references in this section to a relevant person include someone who used to be a relevant person.

(9) Nothing in subsection (1) obliges the registrar to check other documents or (as the case may be) other parts of the document to ensure the absence of DOB information.”; and

- (b) in the modification of section 1087B (disclosure of DOB information), for subsection (4) substitute—

“(4) This section does not apply to restricted DOB information about a relevant person in his or her capacity as someone whose particulars are stated in the LLP’s PSC register if an application under regulations made under section 790ZG (regulations for protecting PSC particulars) has been granted with respect to that information and not been revoked.

(5) “Restricted DOB information” means information falling within section 1087A(1).”.