

2011 No. 309

FEES AND CHARGES

The Registrar of Companies (Fees) (Companies, Overseas Companies and Limited Liability Partnerships) (Amendment) Regulations 2011

Made - - - - *8th February 2011*
Laid before Parliament *14th February 2011*
Coming into force - - *6th April 2011*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 243(3) and 1063(1) to (3) of the Companies Act 2006(a).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Registrar of Companies (Fees) (Companies, Overseas Companies and Limited Liability Partnerships) (Amendment) Regulations 2011 and come into force on 6th April 2011.

(2) In these Regulations “the Main Regulations” means the Registrar of Companies (Fees) (Companies, Overseas Companies and Limited Liability Partnerships) Regulations 2009(b).

Amendment to Schedule 1 to the Main Regulations

2.—(1) Schedule 1 to the Main Regulations is amended as follows.

(2) After paragraph 1 insert—

“Means of electronic delivery to the registrar

1A. In this Schedule—

“Web Incorporation Service” means a service by which the documents required to be delivered under section 9 of the 2006 Act are delivered to the registrar by electronic means using a website of the registrar;

“Software Incorporation Service” means a service by which the documents required to be delivered under section 9 of the 2006 Act are delivered to the registrar by electronic means other than using a website of the registrar.”

(3) In paragraph 7 for sub-paragraph (a) and the fees specified in relation to that sub-paragraph in the second column (amount of fee) substitute—

“(a)	for the registration of a company under section 14 of the 2006 Act—	
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(a) 2006 c.46.

(b) S.I. 2009/2101, as amended by S.I. 2009/2439.

(i) where the required documents are delivered by means of the Web Incorporation Service,	£18.00
(ii) where the required documents are delivered by means of the Software Incorporation Service for same day registration,	£30.00
(iii) where the required documents are delivered by means of the Software Incorporation Service other than for same day registration,	£14.00
(iv) where the required documents are delivered in hard copy form for same day registration,	£100.00
(v) where the required documents are delivered in hard copy form other than for same day registration except as provided in Paragraphs (vi) to (viii),	£40.00
(vi) where the required documents are delivered in respect of a Welsh company in Welsh in hard copy form other than for same day registration,	£20.00
(vii) where the required documents are delivered in respect of a community interest company within the meaning of section 26 of the Companies (Audit, Investigations and Community Enterprise) Act 2004(a) in hard copy form other than for same day registration,	£20.00
(viii) where the required documents are delivered in respect of an unlimited company in hard copy form other than for same day registration;	£20.00"

- (4) In paragraph 7(e)(i) in the second column (amount of fee) for “£30.00” substitute “£40.00”.
- (5) In paragraph 7(e)(ii) in the second column (amount of fee) for “£15.00” substitute “£14.00”.
- (6) In paragraph 7(e)(iii) in the second column (amount of fee) for “£30.00” substitute “£40.00”.
- (7) In paragraph 7(f)(i) after “delivered” and before “for” insert “in hard copy form”.
- (8) In paragraph 7(f)(ii) after “delivered” and before “other” insert “in hard copy form”.
- (9) After paragraph 7(f)(ii) insert—

“(iii) where the required documents are delivered by electronic means for same day registration,	£30.00
(iv) where the required documents are delivered by electronic means other than for same day registration;	£8.00”

- (10) After paragraph 7(h) insert—

“(i) for the registration of the reduction of share capital of a company under section 644 of the 2006 Act—	
(i) where the required documents are delivered for same day registration,	£50.00
(ii) where the required documents are delivered other than for same day registration;	£10.00
(j) for the registration of the reduction of share capital of a company under section 649 of the 2006 Act—	
(i) where the required documents are delivered for same day registration,	£50.00
(ii) where the required documents are delivered other than for same day registration.	£10.00”

- (11) In paragraph 9 for sub-paragraph (a) and the fees specified in relation to that sub-paragraph in the second column (amount of fee) substitute—

(a) 2004 c.27.

“(a) for the registration of a limited liability partnership under section 3 of the 2000 Act(a)—	
(i) where the required documents are delivered by electronic means for same day registration,	£30.00
(ii) where the required documents are delivered by electronic means other than for same day registration,	£14.00
(iii) where the required documents are delivered in hard copy form for same day registration,	£100.00
(iv) where the required documents are delivered in hard copy form other than for same day registration except as provided in Paragraph (v),	£40.00
(v) where the required documents are delivered in respect of a Welsh limited liability partnership in Welsh in hard copy form other than for same day registration;	£20.00”

(12) In paragraph 9(b)—

- (a) in the second column (amount of fee) omit “£30.00”.
- (b) at the end insert—

“(i) where the annual return is delivered in hard copy form,	£40.00
(ii) where the annual return is delivered by electronic means;	£14.00”

(13) In paragraph 9(c)(i) after “delivered “ and before “for” insert “in hard copy form”.

(14) In paragraph 9(c)(ii) after “delivered” and before “other” insert “in hard copy form”.

(15) After paragraph 9(c)(ii) insert—

“(iii) where the required documents are delivered by electronic means for same day registration,	£30.00
(iv) where the required documents are delivered by electronic means other than for same day registration;	£8.00”

(16) In paragraph 10(a)(i) in the second column (amount of fee) for “£50.00” substitute “£100.00”.

(17) In paragraph 10(e) in the second column (amount of fee) for “£30.00” substitute “£20.00”.

(18) In paragraph 11(a) omit “644, 649,”.

Amendment to Schedule 2 to the Main Regulations

3.—(1) Paragraph 7 of Schedule 2 to the Main Regulations is amended as follows—

- (a) in sub-paragraph (a) in the second column (amount of fee) for “£5.00” substitute “£4.00”,
- (b) in sub-paragraph (j)(i) in the second column (amount of fee) for “£50.00” substitute “£60.00”,
- (c) in sub-paragraph (j)(ii) in the second column (amount of fee) for “£15.00” substitute “£20.00”,
- (d) in sub-paragraph (j)(iii) in the second column (amount of fee) for “£15.00” substitute “£20.00”,
- (e) in sub-paragraph (j)(iv) in the second column (amount of fee) for “£50.00” substitute “£60.00”,

(a) Section 3 was amended by S.I. 2009/1804, Schedule 3, paragraph 2.

- (f) for sub-paragraph (k) and the fees specified in relation to that sub-paragraph in the second column (amount of fee) substitute—

“(k)	for a copy certificate of incorporation in hard copy form under section 1065 of the 2006 Act, in relation to companies other than overseas companies, and under that provision as applied to limited liability partnerships by regulation 61 of the LLP Regulations, applied for by means of CHD—	
(i)	where that certificate is delivered by post other than by same day delivery and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£20.00
(ii)	where that certificate is delivered by post by same day delivery and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£60.00
(iii)	where it is an additional certificate delivered by post (by same day delivery or not) relating to the same body corporate provided to the same applicant on the same occasion;	£10.00”

- (g) for sub-paragraph (l) and the fees specified in relation to that sub-paragraph in the second column (amount of fee) substitute—

“(l)	for a copy certificate of incorporation of the type referred to in sub-paragraph (k) above applied for by means of CHD and made available for collection at a CHIC—	
(i)	where that certificate is made available other than for same day collection and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£20.00
(ii)	where that certificate is made available for same day collection and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£60.00
(iii)	where it is an additional certificate made available for collection (for same day collection or not) relating to the same body corporate provided to the same applicant on the same occasion.	£10.00”

(2) In paragraph 8(a) of Schedule 2 to the Main Regulations in the second column (amount of fee) for “£5.88” substitute “£4.70”.

(3) In paragraph 10(a) of Schedule 2 to the Main Regulations in the second column (amount of fee) for “£5.88” substitute “£4.70”.

(4) Paragraph 11 of Schedule 2 to the Main Regulations is amended as follows—

- (a) in sub-paragraph (k)(i) in the second column (amount of fee) for “£15.00” substitute “£20.00”,
- (b) in sub-paragraph (k)(iii) in the second column (amount of fee) for “£50.00” substitute “£60.00”,
- (c) in sub-paragraph (l)(i) in the second column (amount of fee) for “£15.00” substitute “£20.00”,
- (d) in sub-paragraph (l)(iii) in the second column (amount of fee) for “£50.00” substitute “£60.00”,
- (e) for sub-paragraph (m) and the fees specified in relation to that sub-paragraph in the second column (amount of fee) substitute—

“(m)	for a copy certificate of incorporation in hard copy form under section 1065 of the 2006 Act, in relation to companies other than overseas companies, and under that provision as applied to limited liability	
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partnerships by regulation 61 of the LLP Regulations, applied for at a CHIC—	
(i) where that certificate is delivered by post other than by same day delivery and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£20.00
(ii) where that certificate is delivered by post by same day delivery and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£60.00
(iii) where it is an additional certificate delivered by post (by same day delivery or not) relating to the same body corporate provided to the same applicant on the same occasion;	£10.00”

(f) for sub-paragraph (n) and the fees specified in relation to that sub-paragraph in the second column (amount of fees) substitute—

“(n) for a copy certificate of incorporation, in hard copy form, of the type referred to in sub-paragraph (m) above applied for at a CHIC and made available for collection at a CHIC—	
(i) where that certificate is made available other than for same day collection and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£20.00
(ii) where that certificate is made available for same day collection and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£60.00
(iii) where it is an additional certificate made available for collection (for same day collection or not) relating to the same body corporate provided to the same applicant on the same occasion.	£10.00”

(5) Paragraph 12 of Schedule 2 to the Main Regulations is amended as follows—

- (a) in sub-paragraph (m)(i) in the second column (amount of fee) for “£15.00” substitute “£20.00”,
- (b) in sub-paragraph (m)(ii) in the second column (amount of fee) for “£50.00” substitute “£60.00”,
- (c) in sub-paragraph (n)(i) in the second column (amount of fee) for “£15.00” substitute “£20.00”,
- (d) in sub-paragraph (n)(ii) in the second column (amount of fee) for “£50.00” substitute “£60.00”,
- (e) for sub-paragraph (o) and the fees specified in relation to that sub-paragraph in the second column (amount of fee) substitute—

“(o) for a copy certificate of incorporation provided on an application to a CHCC, in hard copy form, under section 1065 of the 2006 Act, in relation to companies other than overseas companies, and under that provision as applied to limited liability partnerships by regulation 61 of the LLP Regulations—	
(i) where that certificate is delivered by post other than by same day delivery and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£20.00
(ii) where that certificate is delivered by post by same day delivery and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£60.00
(iii) where it is an additional certificate delivered by post (by same day delivery or not) relating to the same body corporate provided to the same applicant on the same occasion;	£10.00”

- (f) for sub-paragraph (p) and the fees specified in relation to that sub-paragraph in the second column (amount of fee) substitute—

“(p)	for a copy certificate of incorporation of the type referred to in sub-paragraph (o) above, provided on an application to a CHCC, and made available for collection at a CHIC—	
(i)	where that certificate is made available other than for same day collection and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£20.00
(ii)	where that certificate is made available for same day collection and it is the first certificate relating to that body corporate provided to an applicant on any one occasion,	£60.00
(iii)	where it is an additional certificate made available for collection (for same day collection or not) relating to the same body corporate provided to the same applicant on the same occasion.	£10.00”

Amendment to Schedule 3 to the Main Regulations

4. Paragraph 1 of Schedule 3 to the Main Regulations is amended as follows—

- (a) in sub-paragraph (b) in the second column (amount of fee) for “£4,000.00” substitute “£3,600.00”,
- (b) in sub-paragraph (c) in the second column (amount of fee) for “£48,000.00” substitute “£43,000.00”.

Application of fees

5.—(1) The fees prescribed by regulation 2 apply—

- (a) in relation to paragraphs (4), (5), (6) and (12) to the registration of an annual return delivered to the registrar on or after 6th April 2011;
- (b) in relation to the other paragraphs in that regulation to any registration in respect of which every document necessary for the registrar to effect such an act is delivered to the registrar on or after 6th April 2011.

(2) The fees prescribed by regulation 3 apply—

- (a) in relation to paragraphs (1)(a), (2) and (3) in respect of a subscription payable on or after 6th April 2011;
- (b) in relation to the other paragraphs in that regulation in respect of an application received by the registrar on or after 6th April 2011.

(3) The fees prescribed by regulation 4 apply—

- (a) in relation to paragraph (a) to an application received by the registrar on or after 6th April 2011;
- (b) in relation to paragraph (b) in respect of a subscription payable on or after 6th April 2011.

8th February 2011

Edward Davey
Minister for Employment Relations, Consumer and Postal Affairs,
Department for Business, Innovation and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Registrar of Companies (Fees) (Companies, Overseas Companies and Limited Liability Partnerships) Regulations 2009 (S.I. 2009/2101) (“the Main Regulations”) as amended by the Registrar of Companies (Fees) (Amendment) Regulations 2009 (S.I. 2009/2439), which require payment of fees in respect of functions performed by the registrar of companies relating to companies, overseas companies and limited liability partnerships.

The Regulations amend the Main Regulations by:

- (1) increasing fees in respect of—
 - (a) same day registration of a company under section 14 of the Companies Act 2006 (“the 2006 Act”) where documents are delivered in hard copy form from £50.00 to £100.00 and where such documents are delivered other than for same day registration from £20.00 to £40.00, but that increase to £40.00 does not apply to the registration of a Welsh company delivering documents in Welsh or a community interest company or an unlimited company,
 - (b) registration of an annual return delivered in hard copy form by a company or limited liability partnership from £30.00 to £40.00,
 - (c) same day registration of a limited liability partnership under section 3 of the Limited Liability Partnerships Act 2000 (“the 2000 Act”) where documents are delivered in hard copy form from £50.00 to £100.00 and where such documents are delivered other than for same day registration from £20.00 to £40.00, but that increase to £40.00 does not apply to the registration of a Welsh limited liability partnership delivering documents in Welsh,
 - (d) same day registration of a UK establishment of an overseas company from £50.00 to £100.00,
 - (e) certified copies or certificates from £15.00 to £20.00, and where documents are required for same day delivery or collection the fee is increased from £50.00 to £60.00.
- (2) inserting the following fees—
 - (a) £18 for the registration of a company under section 14 of the 2006 Act where documents are delivered by the Web Incorporation Service,
 - (b) £30 for same day registration and £8 for other than same day registration of a change of name of a company or limited liability partnership where the documents are delivered electronically,
 - (c) £30 for same day registration and £14 for other than same day registration of a limited liability partnership under section 3 of the 2000 Act where the documents are delivered electronically,
 - (d) £50 for same day registration and £10 for other than same day registration of a reduction of share capital under section 644 or 649 of the 2006 Act.

The fees outlined in 2(b) to (d) above were previously set administratively by the registrar. A copy of the registrar’s determination setting out all his administrative fees is available on www.companieshouse.gov.uk.

Other fees are reduced including the registration of annual returns delivered electronically by a company or limited liability partnership and registration of an overseas company’s accounting documents.

The fee changes apply with effect from 6th April 2011.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Policy and Planning Section, Companies House, Crown Way, Maindy, Cardiff CF14 3UZ or on www.companieshouse.gov.uk and is annexed to the Explanatory Memorandum which is available alongside the instrument on www.legislation.gov.uk.

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