

Island of



Guernsey

Ordinance of the States

XII
2006

Made26th April, 2006

Coming into Operation1st May, 2006

The Companies (Fees and Penalties) Ordinance, 2006

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ARRANGEMENT OF SECTIONS

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SCHEDULE: Fees and Penalties.

The Companies (Fees and Penalties) Ordinance, 2006

THE STATES, in pursuance of their Resolution of the 29th March, 2006^a, and in exercise of the powers conferred on them by sections 77(7), 115(h) and 118 of the Companies (Guernsey) Law, 1994^b and all other powers enabling them in that behalf, hereby order:-

Fees and penalties.

1. (1) For section 115 of the Companies (Guernsey) Law, 1994 (fees) substitute the following section -

"Fees and penalties.

115. (1) The fees and penalties specified in column 3 of the table in Schedule 5 shall be payable, by the company to which they relate, to the Greffier, upon or in relation to the event, circumstance or matter specified in the corresponding entry in column 2 of that table.

(2) The provisions of the table in Schedule 5 may be amended or repealed by Ordinance of the States."

(2) The Schedule to this Ordinance (which inserts Schedule 5 into the Companies (Guernsey) Law, 1994) shall have effect.

Procureur's fee in relation to restoration of company to Register.

2. For the purposes of section 77(7) of the Companies (Guernsey) Law,

^a Article V of Billet d'État No. VII of 2006.

^b No. XXXIII of 1994.

1994 (fee payable to Her Majesty's Procureur in relation to consent for application for restoration to the Register) the prescribed fee is £300.

Interpretation.

3. Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Consequential amendments.

4. The following consequential amendments shall have effect -

- (a) in section 76(7) of the Companies (Guernsey) Law, 1994 (appropriate penalty for filing of late annual return to avoid being struck off Register) for the words from "the aggregate of" to the end substitute the words "the aggregate of the penalty specified in item 20 of the table in Schedule 5.",
- (b) in section 77(4)(b) of the Companies (Guernsey) Law, 1994 (restoration to Register upon payment) for the words "an additional amount of £100" substitute the words "the additional amount specified in item 19 of the table in Schedule 5.",
- (c) in section 7 of the Amalgamation of Companies Ordinance, 1997^c (Greffier's certificate of amalgamation) after subsection (4) insert the following

^c No. XIX of 1997.

subsection -

"(5) The fees specified in column 3 of the table in Schedule 5 to the 1994 Law shall be payable, in respect of this Ordinance, by the company to which they relate, to the Greffier, upon or in relation to the event, circumstance or matter specified in the corresponding entry in column 2 of that table.",

- (d) after section 20 of the Migration of Companies Ordinance, 1997^d insert the following section -

"Fees payable to the Greffier.

20A. The fees specified in column 3 of the table in Schedule 5 to the 1994 Law shall be payable, in respect of this Ordinance, by the company to which they relate, to the Greffier, upon or in relation to the event, circumstance or matter specified in the corresponding entry in column 2 of that table."

Consequential repeal.

5. The following provisions are repealed -

- (a) section 3 of the Companies (Guernsey) Law, 1994 (Commencement & Miscellaneous Provisions)

^d No. XXVI of 1997.

Ordinance, 1995^e (Procureur's fee in relation to restoration of company to Register),

(b) section 4 of the Companies (Guernsey) Law, 1994 (Commencement & Miscellaneous Provisions) Ordinance, 1995 (fees payable to the Greffier in relation to companies offering shares to public), and

(c) regulation 2(b), (d) and (e) of the Migration of Companies (Fees) Regulations, 1997^f (fees payable to the Greffier in respect of migrations).

Citation.

6. This Ordinance may be cited as the Companies (Fees and Penalties) Ordinance, 2006.

Commencement.

7. This Ordinance shall come into force on the 1st day of May, 2006.

^e Recueil d'Ordonnances Tome XXVI, p. 368.

^f G.S.I. No. 27 of 1997.

SCHEDULE

Section 1

FEES AND PENALTIES

The following shall be inserted as Schedule 5 to the Companies (Guernsey) Law, 1994.

"SCHEDULE 5

FEES AND PENALTIES

Section 115

	Event, Circumstance or Matter	Fee or Penalty
1	Certificates of Registration (beyond the first such Certificate).	£15
2	Certificate of Change of Name (beyond the first such Certificate).	£15
3	Certificate of Status (also known as a Certificate of Good Standing).	£30
4	Certificate of Entitlement to Commence Business under section 16(1)(c).	£50
5	Certified copies of documents from a company file (per page).	£1
6	Uncertified copies from a company file (per page).	50p
7	Certificate of Removal from the Register on migration out (beyond the first such Certificate).	£15
8	Certificate of Entry on the Register on migration in (beyond the first such Certificate).	£15
9	Certificate of removal from the Register (following striking off or winding up).	£15
10	Filing of any document on the company file (not otherwise	£10

	provided for in this Schedule).	
11	Filing of notice of company's registered office, or change of registered office.	£25
12	In respect of winding up (failure to file notice of registered office).	£25
13	In respect of winding up (failure to comply with Court direction to change company name).	£25
14	Filing of director's consent (if not with the memorandum).	£25
15	Filing of special resolution to change company's name.	£50
16	Filing of return of shares allotment.	£10
17	Registration of company's memorandum.	£125
18	Registration of company's articles (if not with the memorandum).	£30
19	Restoration to the Register of Companies (in addition to all fees, penalties, etc which would have been payable by the company if it had not been dissolved).	£150
20	Penalties for late filing of annual return - (i) First calendar month or part thereof, (ii) Second calendar month or part thereof, (iii) Each subsequent calendar month or part thereof.	£20 £40 £80
21	Issue of first Certificate on Application to Amalgamate.	£150
22	Issue of Second and subsequent copies of Certificate of Amalgamation.	£15
23	Registration of an overseas company on migration in.	£200
24	Removal from the Register of a Guernsey company on migration out.	£350
25	Entry of Notice of same in La Gazette Officielle.	£75"