

GUERNSEY STATUTORY INSTRUMENT

2023 No. 105

**Foundations (Registrar) (Civil Penalties) (Amendment)  
(No.2) Regulations, 2023**

|                               |                                       |
|-------------------------------|---------------------------------------|
| <i>Made</i>                   | <i>6<sup>th</sup> November, 2023</i>  |
| <i>Coming into operation</i>  | <i>15<sup>th</sup> December, 2023</i> |
| <i>Laid before the States</i> | <i>, 2023</i>                         |

**THE REGISTRAR OF FOUNDATIONS**, in exercise of the powers conferred on the Registrar by section 51 of, and paragraph 21 of Schedule 1 to, the Foundations (Guernsey) Law, 2012<sup>a</sup>, and all other powers enabling her in that behalf, hereby makes the following Regulations:-

**Amendment of Civil Penalty Regulations.**

1. (1) The Schedule to the Foundations (Registrar) (Civil Penalties) Regulations, 2023<sup>b</sup> is further amended as follows.

(2) In the entry relating to "Failure to keep records at the registered office, or failure to keep records up to date", in column 2 for "Sch. 1A, para 2" substitute "Sch. 1, para 2".

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<sup>a</sup> Order in Council No I of 2013; this enactment has been amended.

<sup>b</sup> G.S.I. No. 67 of 2023; this enactment has been amended.

(3) In the second entry relating to "Sch. 1, para 7", for "particulars of governance provisions of the Rules", substitute "particulars of the governance provisions of the Constitution".

(4) At the end, insert –

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|   |                        |  |
|---|------------------------|--|
| <p>Failure to keep record of resident agent or failure to notify change of resident agent</p> | <p>Sch. 1A, para 2</p> | <p>Non-administered foundations where default is up to 1 week - £250</p> <p>Non-administered foundations where default is between 1 week and 1 month - £500</p> <p>Non-administered foundations where default is more than 1 month - £1,000</p> <p>-----</p> <p>Administered foundations where default is up to 1 week - £450</p> <p>Administered foundations where default is between 1 week and 1 month - £900</p> <p>Administered foundations where default is 1 month or more - £1,800</p> |
|---|------------------------|--|

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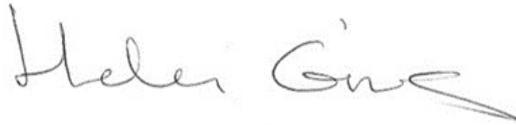
**Citation.**

2. These Regulations may be cited as the Foundations (Registrar) (Civil Penalties) (Amendment) (No.2) Regulations, 2023.

**Commencement.**

3. These Regulations shall come into force on 15<sup>th</sup> December, 2023.

Dated this 6<sup>th</sup> day of November, 2023

A handwritten signature in black ink, appearing to read 'Helen Gains', with a stylized flourish at the end.

HELEN GAINS

Registrar of Foundations

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EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, made by the Registrar of Foundations, amend the Foundations (Registrar) (Civil Penalties) Regulations, 2023 to specify an additional civil penalty payable under the Foundations (Guernsey) Law, 2012 and to make two minor typographical amendments. These Regulations come into force on 15<sup>th</sup> December, 2023.