

GUERNSEY STATUTORY INSTRUMENT

2023 No. 141

**Companies (Registrar) (Fees and Penalties)
(Amendment) (No. 3) Regulations, 2023**

<i>Made</i>	<i>19th December, 2023</i>
<i>Coming into operation</i>	<i>20th December, 2023</i>
<i>Laid before the States</i>	<i>, 2023</i>

THE REGISTRAR OF COMPANIES, in exercise of the powers conferred on the Registrar by sections 516(3), 536 and 538 of the Companies (Guernsey) Law, 2008^a, and all other powers enabling it in that behalf, and having consulted with and obtained the approval of the Committee for Economic Development, hereby makes the following Regulations:-

Amendment of the Fees and Penalties Regulations.

1. (1) The Companies (Registrar) (Fees and Penalties) Regulations, 2020^b are amended as follows.

(2) In Schedule 2, for the last paragraph of the Note before the table, substitute –

^a Order in Council No. VIII of 2008; this enactment has been amended.

^b G.S.I. No. 126 of 2020.

"Reference to the period of "default" is to the period of the breach. For example, in the first entry relating to section 30(1C), the civil penalty (in respect of a non-administered company) is £90 if there has been a failure lasting up to one week, £175 if there has been a failure lasting between one week and one month and £350 if there has been a failure lasting one month or more.

Where the Registrar does not have information on the period of the breach, the Registrar will issue the penalty for a breach lasting one month or more but may reduce the penalty if evidence is provided by the company that the period of the breach was shorter than one month."

Citation.

2. These Regulations may be cited as the Companies (Registrar) (Fees and Penalties) (Amendment) (No. 3) Regulations, 2023.

Commencement.

3. These Regulations shall come into force on 20th December, 2023.



Dated this 19th day of December, 2023

HELEN GAINS
Registrar of Companies

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made by the Registrar of Companies after consultation with the Committee for Economic Development, amend the Companies (Registrar) (Fees and Penalties) Regulations, 2020 to change how a period of default is calculated for the purposes of imposing a civil penalty. They come into force on 20th December, 2023.