



The Accounting Pig Limited

I am fond of pigs.
Dogs look up to us.
Pigs look down on us.
Pigs treat us as equals.

Winston Churchill

Register of People with Significant Control

From April 2016, private UK companies and Limited Liability Partnerships (LLPs) are required to create and maintain a new public register, which shows people who have significant control over that company or partnership. From June, this information will have to be included on the new confirmation statement, which replaces the current annual return that is filed at Companies House.



Why is this being introduced?

The introduction of the register of People with Significant Control (PSC) is just one of a number of changes to the Companies Act 2006, which has

happened as a result of the Small Business, Enterprise and Employment Act 2015. The aim of the Act is to create greater transparency in the ownership and control of UK companies, to help in the fight against money laundering, whilst increasing trust in UK companies.

Do I need to have a PSC register?

With some exceptions, all UK private companies, including Limited companies, and UK LLPs will have to keep a PSC register.

The requirement to maintain a PSC register does not apply to Sole Traders or Limited Partnerships

How do I know who is a person with significant control?

There are 5 conditions that result in an individual, or another legal entity (e.g. a limited company) needing to be included on the register. These are:

1. They own more than 25% of the shares.
2. They own more than 25% of the voting rights.
3. They have the power to appoint or remove a majority of the company's board.

4. They have the right to exercise significant influence or control over the company.
5. They have the right to exercise significant influence or control over a trust or partners of a firm that meet the 4 conditions above, but are not themselves a separate legal entity.

Any individual or entity that meets one or more of the above conditions, directly or indirectly, must be entered on the PSC register once their details have been confirmed.

What information do I need for the register?

For an individual:

- Name
- Date of birth
- Business address
- Nationality
- Usual country of residence
- Usual residential address *
- Date when the PSC applied
- The type of control they have

**Residential addresses will not be made public on the register (unless it is the business address)*

For another legal entity:

- Company name
- Registered office
- Legal form & governing law
- Company registration information
- Date when the PSC applied
- The type of control they have

Before these details can be entered into the register, they must have been confirmed, which means either:

- The PSC has supplied the company with the information
- The information is supplied to the company with the knowledge of the PSC

- The company asks the PSC to confirm that the information listed is correct and the PSC confirms this
- The company holds information that has previously been confirmed and has no reason to believe any of it has changed.

When do I need my register to be ready?

The rule applied from 6th April 2016. From June 2016, you will need to submit the register when you complete your annual return to Companies House (now known as a confirmation statement). You have an ongoing responsibility to maintain the register and take action should any changes be identified.

What happens if I don't comply?

If you are a PSC yourself, you have an obligation to notify the company within one-month of becoming a PSC. You will be committing an offence if you fail to notify the company, or respond to a request for information from that company. The company itself may also apply sanctions on any shares you hold.

Any failure to comply may result in the company and its directors committing an offence.

What if my PSC does not want their details on the register?

The PSC can consider applying under the Companies House protection regime, which is intended to protect PSC's, or a person who lives with a PSC, from public disclosure, if that disclosure could put them at serious risk of violence or intimidation.

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