



Companies House

# Restricting the disclosure of your information

March 2016

Companies Act 2006

This guide is available in alternative formats which include Braille, large print and audio tape. For further details, please email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk) or telephone our contact centre on 0303 1234 500.

## **Introduction**

This guide is about how to apply to Companies House to restrict disclosure of certain information. It is intended to help applicants through the process of applying for protection. It isn't intended to reflect the full detail of the law. The relevant legislation you can apply under is in chapter 5.

This guide will be relevant to you if:

- you are or propose to be a member of an LLP and are entitled to apply to us to restrict disclosure of your residential address
- you are or propose to be a person with significant control (PSC) of an LLP and are entitled to apply to us to restrict disclosure of your residential address
- you are or propose to be a PSC of an LLP and are entitled to apply to us to restrict disclosure of all your PSC information on the public register
- you act as an adviser to an LLP
- you're seeking to suppress specified addresses from continuing to be published on the public register

Separate guides are available here relating to companies (including unregistered companies and Societates Europaeae) and overseas companies.

More detailed information about how to identify people with significant control is also available in [BIS guidance](#).

You should read Chapters 3 and 4, which contain important information about protection across entity types and what you should do to protect your information.

### **What protection means**

The vast majority of information registered with us is available on the public register. Some information (for example, residential addresses and full dates of birth) aren't

part of the public register, but are shared with specified public authorities and credit reference agencies (CRAs).

In this guide protection means further restriction applied to the disclosure of registered information that is or could be publicly available or is or could be made available to CRAs. This protection must be sought by way of application and must meet certain statutory criteria to be awarded.

For example, an LLP member may be at serious risk of violence or intimidation due to the activities of her LLP and seek protection so her usual residential address (URA) is not made available to CRAs. URA information would still be available to specified public authorities on application.

In another example, certain characteristics or personal attributes of a PSC when associated with an LLP could put them, or someone who lives with them at serious risk of violence or intimidation. In these cases, an application can be made so that no information about them in relation to that LLP is available on the public register. If the application is successful, the PSC's registered information is protected. Again, it would still be available to specified public authorities on application. In these cases, the public register will show that there is a PSC subject to protection.

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## **Chapter 1 - Limited Liability Partnerships (LLPs)<sup>1</sup>**

### **1. The basis for making an application for protection**

The activities of certain LLPs can place their members and PSCs<sup>2</sup>, or someone who lives with them, at serious risk of violence or intimidation. This could be due to their involvement in a particular sector of commerce or industry.

An application may be appropriate if:

- you're a member or PSC of an LLP whose business is licenced under the Animal (Scientific Procedures) Act 1986
- you're a member or PSC of an LLP active in the defence industry
- you're a member or PSC of an LLP that's a readily traceable supplier, customer or partner of an organisation in the above categories
- an LLP you're a member of has been targeted by activists.

In addition, certain characteristics or personal attributes of a PSC when associated with an LLP could put them, or someone who lives with them at risk.

For example, you might be a member of a particular religious community and you're a PSC of an LLP whose activities conflict with the principles of that religion.

This isn't an exhaustive list, and making an application to restrict access to some or all of your protected information will depend on your individual circumstances.

You'll need to provide evidence to support the grounds of your application, which will be assessed before the registrar makes a decision. For more information, see section 7 of this chapter.

### **2. Types of protection available**

There are 2 types of protection open to members and PSCs, depending on circumstances.

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<sup>1</sup> Wherever member(s) or proposed member is used in this section, it means member(s) or proposed member of an LLP.

<sup>2</sup> <https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships>

## URA Protection

Members and PSCs of LLPs can apply to have their URA protected<sup>3</sup>. While that information isn't on the public register, it's generally available to CRAs and specified public authorities (SPAs). SPAs are bodies like the police who need to use the information to carry out their public function. Where there's a serious risk of violence or intimidation, that information can be protected, and not released to CRAs. It'll still be made available to SPAs.

## All PSC Information Protected

There is another protection available to PSCs either because of the activities of the LLP of which they are a PSC, or because of their characteristics or personal attributes when associated with the LLP that will put the PSC, or any person living with them, at serious risk of violence or intimidation. They can apply to have all of their information protected from disclosure. No information will show on the public register linking them as a PSC to that LLP, nor will it be disclosed to CRAs. The public register will show there's a PSC who's subject to protection. The PSC information still has to be submitted to us and SPAs will be able to access the information on request<sup>4</sup>.

### **3. Who can make the application for protection**

#### URA protection

An individual who is or proposes to be a member or PSC of an LLP can make an application for their URA to be protected and not shared with CRAs.

An LLP can make an application for one or more individual who is or proposes to be one of its members or PSCs to have their URA protected, and not shared with CRAs.

A proposed member of a proposed LLP can make an application for one or more of its proposed members or PSCs to have their URA protected, and not shared with CRAs.

#### All PSC information protected

An individual who is or proposes to be a PSC of an LLP can make an application to have all of their information protected.

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<sup>3</sup> Section 243 of Companies Act 2006 as applied by The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 and 790ZF of the Companies Act 2006 as applied by The Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016.

<sup>4</sup> Section 790ZG of the Companies Act 2006 as applied by The Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016.

A LLP can make an application for one or more individual who is, used to be or proposes to be a PSC to have all their information protected.

A proposed member can make an application for one or more of its proposed PSCs to have all their information protected.

### Combined application

It's possible to make a combined application for protection of a PSC's URA along with all the rest of their information<sup>5</sup>. This ensures a PSC's URA is protected from disclosure to CRAs from the time of application, which otherwise wouldn't be the case.

### Advance applications

In addition, it's possible for a potential member or PSC to make an application for protection in advance of becoming an LLP's member or PSC, and without the LLP's knowledge. In these cases, the potential member or PSC should use the forms designed for individual applications.

Where an advance application is made to protect all PSC information<sup>6</sup>, the applicant should ensure that the LLP knows in plenty of time before the PSC details are entered in the LLP's PSC register, so the LLP can manage the PSC's information appropriately.

**It's an offence to make a false statement.**

## **4. When to make an application for protection**

From 6 April 2016, LLPs must keep a register of PSC and information relating to their PSC. From 30 June 2016 onwards, LLPs must deliver this information from that register to us at least once a year when delivering their confirmation statement. It must also be included on incorporation forms filed for new LLPs on or after 30 June 2016.

**Applications for PSC information to be protected can be sent to us on or after 6 April 2016**, so information can be protected by the time LLPs have to deliver information to us.

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<sup>5</sup> Sections 790ZF and 790ZG of the Companies Act 2006, as applied by The Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016.

<sup>6</sup> 790ZG Companies Act 2006, as applied by The Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016.

**Wherever possible, applications for protection should be made in advance of information being filed with us, such as in an application for incorporation or notification of a new member or PSC. This ensures the application for protection is registered and measures are put in place to stop the information being sent to CRAs, and/or made available on the public register.**

An application can be made:

- in advance of incorporation
- in advance of an individual becoming a member or PSC
- at the same time as an application for incorporation
- at the same time as a notification is sent to us about an individual becoming a member or PSC
- after an individual's details have been in the public domain or shared with CRAs

## **5. How to make an application for protection**

To start an application, telephone or email our secure register team. They'll advise you about the process and provide the relevant forms. These forms are only available from the secure register team, and will only be accepted on the coloured paper provided. Annex A details which form to use.

Telephone the team on 02920 348354 to request forms or enquire about the process. Alternatively, you can request forms by emailing [secureforms@companieshouse.gov.uk](mailto:secureforms@companieshouse.gov.uk).

If you have a general query about protection, you should email [DSR@companieshouse.gov.uk](mailto:DSR@companieshouse.gov.uk).

Applications should be sent to The Registrar of Companies, PO Box 4082, Cardiff CF14 3WE.

## **6. Information required in an application for protection**

Exact information requirements vary, and are set out in more detail in Annex B.

All applications require:

- a statement of the grounds on which the application is made
- details about the applicant

- details about the individual(s) requiring protection
- details about the LLP(s) or proposed LLP(s) in question

## **7. Evidence of serious risk of violence or intimidation required**

Applications must be accompanied by evidence which supports the basis upon which the application is made. For example, that the individual is at serious risk of violence or intimidation as a result of the activities of the LLP they're associated with.

It isn't possible to provide an exhaustive list, but the sorts of evidence that might be appropriate are:

- a police incident number if a previous attack has occurred
- documentary evidence of a threat or attack
- evidence of disruption, violence, intimidation or other targeting by activists

## **8. Abbreviated applications, where URA protection already exists (members and PSCs)**

There will be some members who already have their URA protected so that it isn't shared with CRAs. If those members become PSCs and they want their URA protection to be extended to cover them in this role, they can send in a modified application form without the need to supply evidence of the risk of violence or intimidation for a second time. The LLP or a proposed member of the proposed LLP can also send an application on their behalf. They can only make an application on behalf of one individual who is a member or PSC.

This also works in reverse, so if a PSC is granted protection of their URA and they then become a member of an LLP, they can apply for protection to be extended without the need to send in supporting evidence for a second time. Similarly, the LLP or a proposed member of the proposed LLP can also send an application on their behalf. They can only make an application on behalf of one individual who is a member or PSC.

This type of application is only possible where a PSC or member seeking protection has been granted protection for another LLP. It's not possible where a member or PSC seeking protection has been granted protection as a director of a company, or as a director or permanent representative of an overseas company with an establishment in the UK.



Examples:

A member of LLP A has their URA protected from disclosure because the activities of LLP A place them at serious risk of intimidation or violence. He is also a PSC of this LLP, so will be able to submit an abbreviated form without evidence.

A member of LLP A has their URA protected from disclosure because the activities of LLP A place them at serious risk of intimidation or violence. This LLP member is also PSC of LLP B, and is able to submit an abbreviated form without evidence.

A member of LLP A has their URA protected from disclosure because the activities of LLP A place them at serious risk of intimidation or violence. They are also PSC of company B. In order to obtain protection in respect of the PSC role the person must submit a full application with evidence.

**It's an offence to make a false statement.**

## 9. Application fee

All applications must be accompanied by the correct fee. If the correct fee isn't enclosed, the application will be rejected. Application forms can be obtained by telephoning our secure registers team on 02920 348354, or emailing them at [secureforms@companieshouse.gov.uk](mailto:secureforms@companieshouse.gov.uk).

The fee for:

- a full application with evidence under sections 243 or 790ZF of the Companies Act 2006<sup>7</sup> to prevent disclosure of URA information to CRAs is £100
- an abbreviated application under sections 243 or 790ZF of the Companies Act 2006<sup>8</sup> to prevent disclosure of URA information to CRAs is £15
- an application under section 790ZG of the Companies Act 2006<sup>9</sup> is £100

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<sup>7</sup> As applied to LLPs by The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 and The Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016.

<sup>8</sup> As applied to LLPs by The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 and The Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016.

<sup>9</sup> As applied to LLPs by The Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016.

- a combined application under 790ZF and 790ZG of the Companies Act 2006<sup>10</sup> is £100

## **10. When protection comes into effect**

For members or PSCs applying to have their URA protected from disclosure to CRAs, the information will be protected from the time the application is registered by the registrar.

For PSCs applying to have all of their information protected from disclosure on the public register, the relevant information will be protected from the time your application is registered by us.

In the cases of PSCs making retrospective applications to suppress their information from disclosure on the public register, the registrar will suppress the information as soon as reasonably practicable.

Where an application to suppress all a PSC's information has been made to us, the LLPs involved must not disclose the information. LLPs should never disclose the URA of their members or PSCs, regardless of any application for protection.

## **11. Where the applicant's details change during the application process**

There may be instances where an applicant's circumstances change during the application process. As soon as an applicant becomes aware of any change to information or evidence provided to us in connection with their application for protection, they should inform the secure registers team in writing without delay. This includes notifying us if there is a change of address or if application for protection is no longer required.

## **12. What happens when we receive your application**

When we receive an application, we'll send a letter acknowledging receipt.

We'll check the details provided and review the grounds for making the application. We may ask you to provide additional evidence if we feel that you haven't supplied sufficient information. To help us reach a decision we'll seek an assessment of the nature and extent of the risk to you (or someone living with you) of violence or intimidation from a relevant authority.

The time it takes for the registrar to make a decision will vary depending on the assessment of the evidence. During this time your information will be protected.

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<sup>10</sup> As applied to LLPs by The Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016.

Once the registrar's a decision in relation to an application for any of the categories of protection detailed in section 1 of this chapter, he'll send notices to the:

- applicant within 7 days of making his decision, where an application is made by an individual
- LLP and the individual within 7 days of making his decision, where an application is made by an LLP
- applicant and the individual within 7 days of making his decision, where an application is made by a proposed member

If your application's successful, the information will remain protected indefinitely, or until we're notified protection isn't needed any longer.

The registrar may revoke protection if the applicant or anyone else the application relates to is found guilty of a false statement offence (section 1112 of the Companies Act 2006) in respect of the information connected to the application.

### **13. If your application is unsuccessful**

If your application for protection of your URA is unsuccessful, the registrar will disclose your URA to CRAs after the period of time allowed to appeal (details below) has expired.

If your application for protection of all your PSC information is unsuccessful, **the information will be available on the public register no sooner than 42 days after the decision has been made** (subject to any appeal outcomes). The registrar will notify the individual and LLP of this as soon as reasonably practicable.

In the event of an unsuccessful application, the registrar will send notices to the:

- applicant within 7 days of making his decision, where an application is made by an individual
- LLP and the individual within 7 days of making his decision, where an application is made by an LLP
- applicant and the individual within 7 days of making his decision, where an application is made by a proposed member

**The above notices will include information on the applicant's right to apply to the High Court, or the Court of Session in Scotland, for permission to appeal within 28 days from the date of the registrar's notice.**

An application for appeal may be made to the High Court, or in Scotland to the Court of Session, on the grounds the decision is unlawful, irrational or unreasonable, or has been made on the basis of a procedural impropriety or otherwise contravenes the rules of natural justice.

Where an application to appeal is made outside the 28 days, the court will need to be satisfied there was good reason for the failure of the applicant to seek permission before the end of that period.

**An applicant who seeks permission to appeal must serve a written notice of the application on the registrar within 7 days of making the application for permission. If a notice of appeal isn't received within 42 days of the registrar's notice of an unsuccessful application for protection of all a PSC's information, the PSC's information will be made available for inspection on the public register.**

The court may dismiss an appeal or quash the registrar's decision. If the court quashes the decision the matter is referred back to the registrar to reconsider and make a decision in accordance with the findings of the court.

#### **14. When an application to protect all PSC information is unsuccessful, and you no longer want to be a PSC**

If your application for protection is unsuccessful, and you don't want to continue to be a PSC of that LLP, there's a temporary arrangement in place for you to disassociate yourself from that LLP. This only applies if you're a PSC on 6 April 2016.

If an application made by you or on your behalf on or before 30 June 2016 is unsuccessful, and **you cease to be a PSC within 12 weeks, notify the registrar in writing within that timescale. If you do this, your details as PSC will never be made available for public inspection.**

In these cases, the PSC must notify the registrar and LLP of the date on which they ceased to be the PSC. If the registrar doesn't receive that notice, the information will be made available on the public register as soon as reasonably practicable by the registrar.

## **Chapter 2 - Application to make an address unavailable for public inspection** <sup>11</sup>

This section covers what to do if you're seeking to suppress your URA from continuing to be published on the public register.

Not all addresses can be suppressed in this way. The URA must have been placed on the register on or after 1 January 2003 and there's a specific list of forms on which the URA must have been delivered to the registrar (see section 2 below).

Information about making an application can be found in sections 3 and 4 below.

### **1. Basis for making an application for suppression**

An application to suppress a registered URA can be made on a number of bases.

i) The activities of certain LLPs can place specified individuals, or someone who lives with them at serious risk of violence or intimidation. This could be due to their involvement in a particular sector of commerce or industry. The specified individuals are:

- LLP members (or individuals who are proposing to be or have held those positions)
- a person who presented a charge for registration or his employees
- any person who lives with any of the individuals set out above

An application may be appropriate if:

- you're a member of an LLP whose business is licenced under the Animal (Scientific Procedures) Act 1986
- you're a member of an LLP that's a readily traceable supplier, customer or partner of an organisation in the above category
- an LLP you're a member of has been targeted by activists.
- you're a person who registered a charge and you or your employees (or a person who lives with either you or your employees) are at a serious risk of violence or intimidation as a result of the activities of an LLP which is or was subject to the charge

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<sup>11</sup> Section 1088 Companies Act 2006 and as applied to LLPs by regulation 66 of the LLPs (Application of Companies Act 2006) Regulations 2009

ii) The individual in question has already made a successful application to the registrar to have his URA withheld from disclosure to a CRA.

iii) The individual is employed by Government Communication Headquarters, the Secret Intelligence Service, the Security Service or a police force.

## **2. Documents the address can be made unavailable from**

For LLPs, it's a service address which is the same as the individual's URA, and was placed on the register on one of the following forms:

Companies Act 2006 filings (as applied to LLPs):

- application for the Incorporation of an LLP (Form LL IN01)
- appointment of a member of an LLP (LL AP01)
- change of details of a member of an LLP (LL CH01)
- annual return (Form LL AR01)

Companies Act 1985 (as applied to LLPs):

- formation of an LLP (LLP2)
- appointment of a member to an LLP (LLP228a)
- change of particulars of a member of an LLP (LLP288c)
- annual return (LLP363)

Companies (Northern Ireland) Order 1986 filings (as applied to LLPs):

- filings made under Article 296 or 371 of the Companies (Northern Ireland) Order 1986

## **3. Who can make the application for suppression**

If you are:

- an individual whose URA was placed on the public record in respect of an LLP after 1 January 2003, you can apply to have your URA made unavailable for public inspection
- a person who presents a charge for registration (other than the LLP that created the charge or acquired the property subject to the charge) on or after 1 January 2003, you can apply to have the address used for the purpose of registration made unavailable for public inspection.

#### 4. Information required in an application for suppression

An application from an individual must contain:

- a statement of the grounds on which the application is made
- the name and any former name of the applicant
- the URA of the applicant that is to be made unavailable for public inspection
- an address for correspondence in respect of the application
- the name and registered number of each LLP of which the applicant is or has been at any time since 1 January 2003 a member
- the service address which is to replace that usual residential address on the register

Unless the application is delivered on the same day as an application under section 243 Companies Act 2006<sup>12</sup>, you also need to include:

- the date of birth of the applicant
- the name of each LLP of which the applicant proposes to become a member
- where the registrar has allotted a unique identifier to the applicant, that unique identifier

Applications must be accompanied by evidence which supports the applicant's statement of the grounds on which the application is made, establishes that the applicant is or has been employed by a relevant organisation<sup>13</sup>, or establishes that they are a section 243<sup>14</sup> beneficiary.

An application from a person who registers a charge must contain:

- a statement of the grounds on which the application is made
- the name of the applicant, and where the applicant is an LLP, its registered number
- the address of the applicant that is to be made unavailable for public inspection;
- the name and registered number of the LLP which is or was subject to the charge;
- an address for correspondence with the registrar in respect of the application;

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<sup>12</sup> As applied to LLPs by The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009.

<sup>13</sup> "relevant organisation" means the Government Communications Headquarters, the Secret Intelligence Service, the Security Service or a police force.

<sup>14</sup> As applied to LLPs by The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009.

- where the applicant is the chargee, the service address which is to replace the address of the applicant on the register.

Applications must be accompanied by evidence which supports the applicant's statement of the grounds on which the application is made.

**It's an offence to make a false statement.**

## **5. How to make an application**

To make an application telephone or email our secure register team. They'll advise you about the process and provide the relevant forms. These forms are only available from the secure register team, and will only be accepted on the coloured paper provided. Annex A details which form to use.

Telephone the team on 02920 348354 to request forms or enquire about the process. Alternatively, you can request forms by emailing [secureforms@companieshouse.gov.uk](mailto:secureforms@companieshouse.gov.uk).

If you have a general query about protection, email [DSR@companieshouse.gov.uk](mailto:DSR@companieshouse.gov.uk).

Applications should be sent to The Registrar of Companies, PO Box 4082, Cardiff, CF14 3WE.

## **6. Application fee**

All applications must be accompanied by the correct fee. The fee for making an application to suppress a URA is £55. If the correct fee isn't enclosed, the application will be rejected.

## **7. When we receive your application**

When we receive an application, we'll send a letter acknowledging receipt.

We'll check the details provided and review the grounds for making the application. We may ask you to provide additional evidence if we feel that you haven't supplied sufficient information. To assist us in reaching a decision, we'll seek an assessment from a relevant authority of the nature and extent of the risk to you of violence or intimidation.



The time it takes for the registrar to make a decision will depend on the complexity of the application, and the time needed to assess the nature and extent of the risk of violence or intimidation.

Once the registrar has made a determination in relation to an application, he will send a notice to the applicant within 5 working days of making his determination.

The registrar may revoke protection if the applicant or anyone else to whom the application relates is found guilty of a false statement offence (section 1112 Companies Act 2006) in respect of the information connected to the application.

## **8. When suppression comes into effect**

The URA information will only be suppressed when the registrar decides the application is successful.

When a decision has been granted in your favour, we'll:

- make the address specified in the application unavailable for public inspection from the documents listed in the application

## **9. If an application is unsuccessful**

In the event of an unsuccessful application, the registrar will send a notice to the applicant within 5 working days of making a decision.

**The above notice will include information on the applicant's right to apply to the High Court, or the Court of Session in Scotland, for permission to appeal against the determination within 28 days from the date of the registrar's notice.**

An appeal may be made to the High Court, or in Scotland to the Court of Session, on the grounds the decision is unlawful, irrational or unreasonable, or has been made on the basis of procedural impropriety or otherwise contravenes the rules of natural justice. You can only make an appeal if the leave of the court has been obtained.

Where an application for permission is made outside the 28 days, the court will need to be satisfied there was good reason for the failure of the applicant to seek permission before the end of that period.

## **Chapter 3 – Protection across different entities**

There is separate legislation for protection across different entities. This has implications for people who are involved in different entities and want to apply for protection, for example, a director of a company who's also a member of an LLP.

### **People who want protection across different entities**

If you have different roles or are involved in different entities, you'll need to make separate applications for each entity, sending in the relevant form, evidence and fee.

#### **Example:**

You're about to become a member and PSC of LLP A. Because the activities of LLP A will put you at serious risk of violence or intimidation, you apply to protect your URA from being shared with CRAs. You send in one set of evidence for protection as a member. You don't need to send in evidence which will cover your role as a PSC.

You're about to become a member of LLP A, whose activities put you at serious risk of violence or intimidation. You apply to protect your URA from being shared with CRAs. You're also about to become a PSC of company B. This will require a separate application and you need to provide evidence in both applications, as the governing law is different.

The abbreviated form (with reduced fee) can't be used when protection was granted for a company, and the PSC or member is seeking protection for an LLP.

## **Chapter 4 – How to protect your information**

Keeping your protected information safe is very important, and there are a number of things you can do to help us process it securely.

### **Applications**

Contact the secure registers team on 02920 348354 if you'd like to apply for information to be protected. Alternatively, you can request forms by emailing [secureforms@companieshouse.gov.uk](mailto:secureforms@companieshouse.gov.uk).

If you have a general query about protection, email [DSR@companieshouse.gov.uk](mailto:DSR@companieshouse.gov.uk).

Wherever possible, apply for protection before you need to make filings that would include the protected information, such as incorporation or appointment documents.

If you're a PSC seeking protection, keep the LLP informed as far as possible, as they'll need to manage your information properly in their filings.

If you've applied for protection, and decide to appeal when unsuccessful, notify our secure registers team as soon as possible.

### Filing Requirements

Once you've been protected, ask the secure registers team for advice if you aren't sure what you have to do to file information securely.

The secure registers team will provide an individual PSC with an ID number linked to the LLP at first contact. Use that ID number in all correspondence with us relating to that PSC. Additional information will be required to talk to the secure registers team about a PSC.

If you're filling in PSC details, and you have a PSC who has applied for, or been granted protection for all of his/her information, you must tick the statement on any relevant form. The statement reads: *The PSC's details are not shown because restrictions on using or disclosing any of the individual's particulars are in force under regulations under section 790ZG in relation to this LLP.* This statement will appear on the public register.

If you're a member or PSC whose address is protected, tick the section 243 or section 790ZF<sup>15</sup> protection box on documents you're filing.

If your PSC has all his/her information protected from the public register, file on paper only where the filing would include protected information. This relates to:

- incorporation
- becoming a PSC
- change of details

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<sup>15</sup> As applied to LLPs by The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 and The Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016.

- Statements of additional matters
- termination of a PSC
- confirmation statement

The above forms are special, coloured forms which are only available from the secure registers team. Their telephone number is 02920 348354.

Send forms to the special address: The Registrar of Companies, PO Box 4082, Cardiff, CF14 3WE.

## **Chapter 5 - Legislation**

### **Legislation**

- Sections 243, 790ZF, 790ZG and 1088 Companies Act 2006 as applied to LLPs
- Limited Liability Partnerships (Application of Companies Act 2006) Regulations (2009/1804)
- The Limited Liability Partnerships (Register of People with Significant Control) Regulations 2016 (SI 2016/340)

## **Annex A – List of Application Forms**

### **LLP forms**

<b>Form number</b>	<b>What the form is for</b>
LL SR01	Application under section 1088 by an individual
LL SR02	Application under section 1088 by a person who registers a charge
LL SR03	Application under section 243 by an individual
LL SR04	Application under section 243 by an LLP
LL SR05	Application under section 243 by a subscriber
LL SR06	Application under sections 790ZF & 790ZG by an individual
LL SR07	Application under sections 790ZF & 790ZG by an LLP
LL SR08	Application under sections 790ZF & 790ZG by a proposed member of an LLP
LL SR09	Application under section 790ZF by an individual
LL SR10	Application under section 790ZF by an LLP
LL SR11	Application under section 790ZF by a proposed member of an LLP
LL SR12	Application under section 790ZG by an individual
LL SR13	Application under section 790ZG by an LLP
LL SR14	Application under section 790ZG by a proposed member of an LLP

LL SR15	Abbreviated application under section 790ZF by an individual who is a section 243 beneficiary
LL SR16	Abbreviated application under section 790ZF by an LLP on behalf of a section 243 beneficiary
LL SR17	Abbreviated application under section 790ZF by a proposed member on behalf of a section 243 beneficiary
LL SR18	Abbreviated application under section 243 by an individual if a successful determination under section 790ZF has been made
LL SR19	Abbreviated application under section 243 by an LLP if a successful determination under section 790ZF has been made
LL SR20	Abbreviated application under section 243 by a proposed member if a successful determination under section 790ZF has been made

## **Annex B -Overview of Required Information in an Application for Protection**

### **Application for protection from disclosure of residential address information from CRAs**

An application from an individual who is or proposes to be a **member** (Form LL SR03) must contain:

- a statement of the grounds on which the application is made
- the name and any former name of the applicant
- the date of birth of the applicant
- the usual residential address of the applicant
- the name and registered number of each LLP of which the applicant is, or proposes to become, a member
- the name and registered number of the company, overseas company or limited liability partnership – where the application is made on the grounds that the applicant considers that there is a serious risk that he, or a person who lives with him, will be subjected to violence or intimidation as a result of the activities of at least one of the following: the companies of which he was a director; the overseas companies of which he is or has been a director, secretary or permanent representative; or the limited liability partnerships of which he is or has been a member
- And it must be accompanied by evidence which, depending on the grounds of the application, supports the applicant’s statement of the grounds of the

application; or establishes that the applicant is or has been employed by a relevant organisation<sup>16</sup>

An application from an LLP for any of its **members** (Form LL SR04) must contain:

- a statement of the grounds on which the application is made
- the name and registered number of the applicant
- the name and any former name of each member on behalf of whom the application is made
- the date of birth of each such member
- the usual residential address of each such member
- the name and registered number of each LLP of which each such member is a member
- be accompanied by evidence which supports the applicant's statement of the grounds of the application

An application from a subscriber to a memorandum of association for any proposed **members** (Form LL SR05) of a proposed LLP must contain:

- a statement of the grounds on which the application is made
- the name of the applicant
- the address of the applicant
- the name of the proposed LLP
- the name and any former name of each of the proposed members on behalf of whom the application is made
- the date of birth of each such proposed member
- the usual residential address of each such proposed member
- the name and registered number of each LLP of which each such proposed member is a member
- be accompanied by evidence which supports the applicant's statement of the grounds of the application

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<sup>16</sup> "relevant organisation" means the Government Communications Headquarters, the Secret Intelligence Service, the Security Service or a police force.

An application from an individual who is or proposes to be a **PSC** (Form LL SR09) must contain:

- a statement of the grounds on which the application is made
- the name and any former name of the applicant
- the date of birth of the applicant
- the usual residential address of the applicant
- the e-mail address of the applicant, if any
- the name and registered number of each LLP in relation to which the applicant is, or proposes to become, a PSC
- the names and registered numbers of the companies, limited liability partnerships and overseas companies whose activities are relevant to the application
- the name and registered number of the LLP in relation to which the section 243 Companies Act<sup>17</sup> decision was made, unless the decision relates to a proposed LLP which was never incorporated, where current protection exists

Where no current protection exists, the application must be accompanied by evidence which supports the applicant's statement of the grounds on which the application is made.

An application from an LLP for one or more of its **PSCs** (Form LL SR10) must contain:

- a statement of the grounds on which the application is made
- confirmation that the individual consents to the making of the application
- the name and registered number of the applicant
- the address of the registered office of the applicant
- the e-mail address of the applicant, if any
- the name and any former name of the individual on whose behalf the LLP is applying
- the date of birth of the individual
- the usual residential address of the individual
- the e-mail address of the individual, if any

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<sup>17</sup> As applied to LLPs by The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009.

- the name and registered number of that LLP or company, where the individual is a PSC in relation to another LLP or company
- the name and registered number of the LLP in relation to which the section 243 Companies Act 2006<sup>18</sup> decision was made, unless the decision relates to a proposed LLP which was never incorporated, where current protection exists

Where no current protection exists, the application must be accompanied by evidence which supports the applicant's statement of the grounds on which the application is made.

An application from a proposed member for one or more of its proposed **PSCs** (Form LL SR11) must contain:

- a statement of the grounds on which the application is made
- confirmation that the individual consents to the making of the application
- the name and any former name of the applicant
- the usual residential address of the applicant
- the e-mail address of the applicant, if any
- the name of the proposed LLP to which the memorandum relates
- the name and any former name of the individual on whose behalf the proposed member is applying
- the date of birth of the individual
- the usual residential address of the individual
- the e-mail address of the individual, if any
- where the individual is a PSC in relation to another LLP or company, the name and registered number of that LLP or company
- the name and registered number of the LLP in relation to which the section 243<sup>19</sup> decision was made, unless the decision relates to a proposed LLP which was never incorporated, where current protection exists

Where no current protection exists, the application must be accompanied by evidence which supports the applicant's statement of the grounds on which the application is made.

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<sup>18</sup> As applied to LLPs by The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009.

<sup>19</sup> As applied to LLPs by The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009.



## Abbreviated form

In cases where an applicant has existing protection in respect of a different role, the application form will require the same information that's required on standard application forms. However, instead of submitting evidence in support of the application, the applicant (individual, LLP or proposed member) must state the name and registered number of the LLP in relation to which the protection was granted, unless the protection relates to an LLP that was never incorporated.

## **Application to protect all PSC information from disclosure on the public record**

An application from an **individual** (Form LL SR12) must contain:

- a statement of the grounds on which the application is made
- the name and any former name of the applicant
- the date of birth of the applicant
- the usual residential address of the applicant
- the e-mail address of the applicant, if any
- the name and registered number of the LLP in relation to which the applicant is, proposes to become, or used to be a PSC
- a statement that in relation to the applicant an application has also been made under regulations 25, 26 and 27 of the Register of People with Significant Control Regulations 2016 or protection under these regulations exists, if relevant
- evidence which supports the applicant's statement of the grounds on which the application is made

When a PSC or proposed PSC sends us an application to prevent their details from being disclosed on the public record, that individual must inform the LLP they've made an application as soon as reasonably practicable.

An application from an **LLP** (Form LL SR13) must contain:

- a statement of the grounds on which the application is made
- confirmation that the individual consents to the making of the application
- the name and registered number of the applicant
- the address of the registered office of the applicant
- the e-mail address of the applicant, if any
- the name and any former name of the individual
- the date of birth of the individual
- the usual residential address of the individual
- the e-mail address of the individual, if any

- evidence which supports the applicant's statement of the grounds on which the application is made

An application from a **proposed member** of an LLP (Form LL SR14) must contain:

- a statement of the grounds on which the application is made
- confirmation that the individual consents to the making of the application
- the name and any former name of the applicant
- the usual residential address of the applicant
- the e-mail address of the applicant, if any
- the name of the proposed LLP
- the name and any former name of the individual
- the date of birth of the individual
- the usual residential address of the individual
- the e-mail address of the individual, if any
- evidence which supports the applicant's statement of the grounds on which the application is made