

Economic Crime and Corporate Transparency Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Clause 1

LORD LEIGH OF HURLEY

Page 2, line 3, after “accurate” insert “and self-consistent”

Member’s explanatory statement

This amendment enhances the definition of accuracy as it applies to information submitted to the registrar.

Clause 54

LORD LEIGH OF HURLEY

Page 38, line 40, at end insert –

“(6) Electronic documents delivered to the registrar under this section must comply as to accuracy, completeness and consistency with the registrar's requirements.”

Member’s explanatory statement

This amendment creates an obligation for documents delivered to satisfy the registrar’s requirements as to digital formatting.

Clause 55

LORD LEIGH OF HURLEY

Page 39, line 30, at end insert –

“(7) Electronic documents delivered to the registrar under this section must comply as to accuracy, completeness and consistency with the registrar’s requirements.”

Member’s explanatory statement

This amendment creates an obligation for documents delivered to satisfy the registrar’s requirements as to digital formatting.

After Clause 56

LORD LEIGH OF HURLEY

Insert the following new Clause –

“Correct formatting of electronic content

- (1) The Companies Act 2006 is amended as follows.
- (2) In section 445 (filing obligations of medium-sized companies), after subsection (6A) insert –
 - “(6B) Electronic documents delivered to the registrar under this section must comply as to accuracy, completeness and consistency with the registrar’s requirements.”
- (3) In section 446 (filing obligations of unquoted companies), after subsection (4A) insert –
 - “(4B) Electronic documents delivered to the registrar under this section must comply as to accuracy, completeness and consistency with the registrar’s requirements.”
- (4) In section 447 (filing obligations of quoted companies), after subsection (5) insert –
 - “(6) Electronic documents delivered to the registrar under this section must comply as to accuracy, completeness and consistency with the registrar’s requirements.””

Member’s explanatory statement

This amendment creates an obligation for documents delivered to satisfy the registrar’s requirements as to digital formatting.

Clause 77

LORD LEIGH OF HURLEY

Page 60, line 34, after “be” insert “incomplete or not self-consistent or”

Member’s explanatory statement

This amendment enhances the definition of accuracy as it applies to information submitted to the registrar.

Clause 82

LORD LEIGH OF HURLEY

Page 63, line 40, leave out from beginning to the first “the” on line 41 and insert “incomplete, not self-consistent, or inconsistent with other information held by or available to the registrar,”

Member’s explanatory statement

This amendment enhances the definition of accuracy, and (alongside the amendment in the name of Lord Leigh to page 63, line 44) ensures consistency with Clause 77 in relation to the information to which it applies.

Page 63, line 44, leave out from “be” to “and” on line 45 and insert “incomplete, not self-consistent or inconsistent with other information held by or available to the registrar,”

Member’s explanatory statement

This amendment enhances the definition of accuracy, and (alongside the amendment in the name of Lord Leigh to page 63, line 40) ensures consistency with Clause 77 in relation to the information to which it applies.

After Clause 106

LORD AGNEW OF OULTON

Insert the following new Clause—

“Reporting requirement (registrar’s objectives)

- (1) The Secretary of State must publish an annual report assessing whether the powers available to the Secretary of State and the registrar are sufficient to enable the registrar to achieve its objectives under section 1081A of the Companies Act 2006 (inserted by section 1) (registrar’s objectives to promote integrity of registers etc).
- (2) Each report under subsection (1) must—
 - (a) make a recommendation as to whether further legislation should be brought forward in response to the report;
 - (b) provide a breakdown of the registrar’s annual expenditure;
 - (c) contain the details of the steps the registrar has taken to promote the registrar’s objectives under this Act;
 - (d) provide annual data on—
 - (i) the number of companies that have been struck off by the registrar,
 - (ii) the number and value of fines the registrar has issued,
 - (iii) the number of criminal convictions made, and number of cases of suspected unlawful activity identified by the registrar, as a result of the registrar’s powers as set out in this Act,
 - (iv) the number of cases referred by the registrar to law enforcement bodies and anti-money-laundering supervisors, and
 - (v) the total number of company incorporations to the registrar, and the number of company incorporations by authorised corporate service providers to the registrar;
 - (e) detail all instances in which exemption powers have been used by the Secretary of State, as introduced by this Act; and
 - (f) confirm that the registrar has sufficient financial resources to meet its objectives as set out in this Act.
- (3) The first report must be published within one year of this Act being passed.
- (4) A further report must be published at least once a year.
- (5) The Secretary of State must lay a copy of each report before Parliament.”

Member's explanatory statement

This amendment is intended to help ensure that the objectives set out in the Bill are being delivered by the Registrar and that the performance of Companies House receives full and regular scrutiny.

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8 March 2023
