



COMPANIES ACT 2006

COMPANIES (PRESCRIBED PERSONS) REGULATIONS 2006

Coming into operation 1st November 2006

In exercise of the powers conferred on the Registrar of Companies by sections 207 and 215 of the Companies Act 2006^(a), and all other powers enabling it in that behalf, and after consultation with the Treasury, the following Regulations are hereby made:-

Citation and Commencement

1. These Regulations may be cited as the Companies (Prescribed Persons) Regulations 2006 and shall come into operation on the 1st November 2006.

Interpretation

2. In these Regulations:

“the Act” means the Companies Act 2006.

“PCC” or “protected cell company” has the meaning given by section 218 of the Act.

“Registered Agent” has the meaning given in section 74 of the Act.

“Registrar” means the Registrar of Companies.

“Chargee” means the person in whose favour a charge is created by a company.

A Prescribed Person

3. For the purposes of section 75(4) of the Act, the persons prescribed to file a notice of change of registered office or Registered Agent are the Registered Agent, or a person authorised by the directors of the company.
4. For the purposes of section 127(3)(b) of the Act, a notice of an application to the Court for a receivership order in respect of a cell of a Protected Cell Company shall also be served upon the Registered Agent.

5. For the purpose of section 138(1), 139(1) and 140(1) of the Act, the persons prescribed to make an application to the Registrar are:
- (a) the chargee, or a person authorised to act on its behalf, or
 - (b) the company, or a person authorised to act on its behalf.
6. For the purpose of section 190(1) of the Act, the persons prescribed to make an application to the Registrar for a declaration of dissolution are:
- (a) the Registered Agent, or a person authorised to act on its behalf,
 - (b) the company, or a person authorised to act on its behalf, or
 - (c) a member of the company.

Made this 17th day of October 2006.

Tony Barber

Commissioner

John Aspden

Commissioner

Registrar of Companies
Financial Supervision Commission

EXPLANATORY NOTE
(This note is not part of the Regulations)

These regulations prescribe the persons who may file certain documents with the Registrar of Companies and who should be informed if an application is made to the Court for a receivership order in respect of a cell of a Protected Cell Company.

The Financial Supervision Commission's website address is www.fsc.gov.im