STATUTORY INSTRUMENTS

2009 No. 2492

FEES AND CHARGES

The European Economic Interest Grouping and European Public Limited-Liability Company (Fees) Revocation Regulations 2009

Made - - - -	*10th September 2009*
Laid before Parliament	*10th September 2009*
Coming into force - -	*1st October 2009*

The Secretary of State, with the consent of the Treasury, makes the following Regulations in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973(**a**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the European Economic Interest Grouping and European Public Limited-Liability Company (Fees) Revocation Regulations 2009 and come into force on 1st October 2009.

(2) In these Regulations—

"the continuing provisions" mean the provisions of the Revoked Regulations excepted from revocation in Schedule 2;

"EEIG" means a European Economic Interest Grouping formed in pursuance of article 1 of the Council Regulation (EEC) No.2137/85 of 25 July 1985 on the European Economic Interest Grouping(**b**);

"the EEIG Regulations" means the European Economic Interest Grouping Regulations 1989(**c**);

"the Fees Regulations" means the Registrar of Companies (Fees) (European Economic Interest Grouping and European Public Limited-Liability Company) Regulations 2009(**d**); and

"the Revoked Regulations" means the Regulations listed in Schedule 2.

(3) In these Regulations words and expressions used in the Fees Regulations have the same meaning when used in these Regulations.

Transitional Provisions

2. Where any document delivered to the registrar on or before 30th September 2009, to which any of the Revoked Regulations apply, is registered on or after 1st October 2009, the fee prescribed in Schedule 1 to the Fees Regulations shall not apply and any fee payable in respect of that document by virtue of the Revoked Regulations shall apply.

(**a**) 1973 c.51.
(**b**) OJ L1999, 31.7.1985, p.1.
(**c**) S.I. 1989/638 as amended by S.I. 2009/2399.
(**d**) S.I. 2009/2403.

3. Where any document to which the Revoked Regulations apply is delivered to the registrar on or after 1st October 2009 under a provision specified in Schedule 1 in the circumstances specified there, the fee prescribed in Schedule 1 to the Fees Regulations shall not apply and any fee payable in respect of that document by virtue of the continuing provisions shall apply.

4. Where any application to which the Revoked Regulations apply is made to the registrar on or before 30th September 2009 in respect of the inspection of, or the provision of copies of, material kept by the registrar the fee prescribed in Schedule 2 to the Fees Regulations or determined by the registrar in the exercise of his power under section 1063(5) of the Companies Act 2006(**a**) in respect of that application shall not apply and any fee payable under the Revoked Regulations shall apply.

Revocation

5. Subject to regulations 2, 3 and 4, the Regulations listed in Schedule 2 are revoked to the extent specified.

Davies of Abersoch
Minister for Trade, Investment and Business,
4th September 2009 Department for Business, Innovation and Skills

We consent

Dave Watts
Bob Blizzard
10th September 2009 Two of the Lords Commissioners of Her Majesty's Treasury

(**a**) 2006 c.46.

SCHEDULE 1

Regulation 3

1. Listed below are the circumstances when a fee required by the continuing provisions is payable—

(a) where the documents required for the registration of a charge by an EEIG under Part 12 of the Companies Act 1985(**a**), as applied to EEIGs by the EEIG Regulations, are delivered to the registrar on or after 1st October 2009, and the charge was created, the property subject to the charge acquired or the first in a series of debentures was executed, on or before the 30th September 2009;

(b) where the documents required for the registration of a charge of the type described in sub-paragraph (a) above are not delivered to the registrar within the time prescribed for their delivery and the documents are subsequently delivered pursuant to an order of the court under the enactment specified in that sub-paragraph.

2. In this Schedule words or expressions defined or used in the Companies Act 1985 have the same meaning when so used.

(**a**) 1985 c.6.

SCHEDULE 2

Regulations 2, 4 and 5

Regulation	**Extent of Revocation**
The European Public-Limited Liability Company (Fees) Regulations 2004(**a**)	The whole Regulations
The European Economic Interest Grouping (Fees) Regulations 2004(**b**)	The whole Regulations with the exception of Fee No 3 in Schedule 2

(**a**) S.I. 2004/2407.
(**b**) S.I. 2004/2643.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the European Public Limited-Liability Company (Fees) Regulations 2004 and the European Economic Interest Grouping (Fees) Regulations 2004 subject to the transitional provisions in regulations 2, 3 and 4 and Schedule 2 to the Regulations.

A regulatory impact assessment has not been produced for this instrument.

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