EXPLANATORY MEMORANDUM TO

THE EUROPEAN ECONOMIC INTEREST GROUPING AND EUROPEAN PUBLIC LIMITED LIABILITY COMPANY) (FEES) REVOCATION REGULATIONS 2012

2012 No. 2300

1. This explanatory memorandum has been prepared by Companies House, an Executive Agency of the Department for Business, Innovation and Skills and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

These Regulations revoke the European Economic Interest Grouping and European Public Limited-Liability Company (Fees) Revocation Regulations 2009.

3. Matters of special interest to the Joint Committee on Statutory Instruments

None

4. Legislative Context

These Regulations revoke, under powers in section 56(1) and (2) of the Finance Act 1973, the European Economic Interest Grouping and European Public Limited-Liability Company (Fees) Revocation Regulations 2009 (S.I. 2009/2492). The 2009 Regulations continue to charge fees for registering certain documents delivered under the Companies Act 1985 in respect of a European Economic Interest Grouping. The relevant provisions of that Act were repealed on 1 October 2009 with transitional provisions. The continuing fees apply to obligations arising from the transitional provisions. These continuing fees are being removed for companies and limited liability partnerships in another instrument. Therefore, this revocation maintains a continuity of treatment for documents very rarely delivered to the registrar of companies for registration.

5. Territorial Extent and Application

This instrument applies to England and Wales and Scotland.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

Companies House is revoking continuing fees that apply to documents delivered under the Companies Act 1985. These documents are delivered in very low volumes and will eventually cease completely. Therefore, collection of the fee is not considered efficient administration. The same approach is being applied for companies and limited liability partnerships.

8. Consultation outcome

Companies House has not consulted on this instrument because it is revoking fees.

9. Guidance

9.1 Customers are made aware of the changes to fees through correspondence and e-mail and via the Companies House web site: www.companieshouse.gov.uk.

9.2 Full details of registration requirements and search services are available on the Companies House web site, as part of customer focus groups and through Companies House information days.

10. Impact

10.1 An EEIG that is required to deliver the particular documents for registration will benefit as there will no longer be a fee associated with this type of registration.

11. Regulating small business

11.1 The legislation only applies to EEIGs.

12. Monitoring & review

12.1 There will be no review of these Regulations because they are revoking earlier fees which only apply very rarely and will cease completely.

13. Contact

Mark Buckley at Companies House Tel: 02920 380952 or email: mbuckley@companieshouse.gov.uk can answer any queries regarding the instrument.