
The Register of People with Significant Control (PSC)

What are the requirements?

A number of amendments have been made to the Companies Act 2006, principally by the Small Business Enterprise and Employment Act 2015. These amendments introduce a number of additional requirements on companies, effective from 6 April 2016 which include:

- **Identify** the people with significant control (PSC) over the company and confirm their information;
- **Record** the details of the PSC on the company's register;
- **Provide** this information to Companies House as part of the Confirmation Statement (formerly the Annual Return); and
- **Update** the information on the company's register when it changes, and update the information at Companies House when you make your next Confirmation Statement.

Failure to comply with the requirements of the PSC by the officers of the company will be a criminal offence with sanctions of fines or imprisonment.

What is meant by a PSC?

There are 5 separate conditions, any one of which will result in an individual or legal entity being registrable on the PSC register.

These are:

- *holds, directly or indirectly, more than 25% of the shares in the company; or*
- *holds, directly or indirectly, more than 25% of the voting rights in the company; or*
- *holds the right, directly or indirectly, to appoint or remove a majority of the board of directors of the company; or*
- *has the right to exercise, or actually exercises, significant influence or control over the company; or*
- *exercises significant influence or control over the trustees of a trust or partners of a firm, where that trust or firm is not a separate legal entity, but where those trustees or partners would otherwise meet the conditions above.*

What information is required to be kept on the register?

From April 2016, the following information needs to be maintained on the PSC register:

For an individual:

- *Name*
- *Service address*
- *Usual country/state of residence*
- *Nationality*
- *Date of birth*
- *Usual residential address (this will not appear on public record)*
- *Date on which the individual became registrable*
- *Nature of control*

For a relevant legal entity:

- *Corporate/firm name*
- *Registered/principal office*
- *Legal form and governing law*
- *Applicable company register and number*
- *Date on which the legal entity became registrable*
- *Nature of control*

If you believe that the company has no PSC's, a specific statement is also required in the PSC register confirming this.

How can we help?

These changes may give rise to a complicated set of initial and ongoing obligations for you and your company. If we currently deal with the company secretarial obligations we will take care of this automatically for you. If you wish to start using this service please do not hesitate to contact us.

For Information of users: This material is published for the information of clients. It provides only an overview of the regulations in force at the date of publication, and no action should be taken without consulting the detailed legislation or seeking professional advice. Therefore no responsibility for loss occasioned by any person acting or refraining from action as a result of the material can be accepted by the authors or the firm.

Leigh Christou Ltd are registered as auditors in the UK and regulated for a range of investment business activities by the Association of Chartered Certified Accountants.