
**COMPANIES (INTERCONNECTION OF REGISTERS)
REGULATIONS 2014****Subsidiary
2014/113**

Subsidiary Legislation made under s. 385.

**COMPANIES (INTERCONNECTION OF REGISTERS)
REGULATIONS 2014****(LN. 2014/113)***Commencement* **7.7.2014**Amending
enactmentsRelevant current
provisionsCommencement
date**Transposing:**

Directive 89/666/EEC

Directive 2005/56/EC

Directive 2009/101/EC

Directive 2009/101/EC

Directive 2012/17/EU

EU Legislation/International Agreements involved:

In exercise of the powers conferred upon him by section 385 of the Companies Act and in order to transpose, in part, into the law of Gibraltar Directive 2012/17/EU of the European Parliament and of the Council of 13 June 2012 amending Council Directive 89/666/EEC and Directives 2005/56/EC and 2009/101/EC of the European Parliament and of the Council as regards the interconnection of central, commercial and companies registers, and Article 3(7) of Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent, the Minister has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Companies (Interconnection of Registers) Regulations 2014 and come into operation on 7 July 2014.

Maintenance of company records by Registrar.

2.(1) The Registrar of Companies (“the Registrar”) must register any document delivered to him that amends—

- (a) the memorandum or articles of association;
- (b) any return relating to a company’s register of directors or secretary;
- (c) a company’s annual return;
- (d) any notice of the situation of a company’s registered office;
- (e) a copy of an order of the Court appointing a liquidator of a company;
- (f) any order for the dissolution of a company on its liquidation; or
- (g) any return relating to a company’s register of members.

(2) The Registrar shall make every effort to ensure that notice of receipt by him of a document referred to in subregulation (1) is—

- (a) published in the Gazette within 21 days of receipt or as soon as possible thereafter; and
- (b) is correct and consistent with the document that is the subject of the notice.

(3) The Registrar may refuse to register or publish notice of receipt of a document referred to in subregulation (1) where he considers, in his discretion, that document to be incomplete or incorrectly delivered.

(4) Where the notice published is not consistent with the document received or issued by the Registrar—

- (a) a company shall not be entitled to rely against other persons on the information published; but
- (b) a person shall be entitled to rely on the information published;

if it is not shown by the company to have been known at that time to the person concerned.

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(5) A person is entitled to rely on a document referred to in subregulation (1) before a notice is published in the Gazette by the Registrar, except where the publication of that notice gives effect to the document.

Supply of information by Registrar.

3.(1) The Registrar must ensure that up to date information required by Article 3a of Directive 2009/101/EC for publication on the European e-Justice portal is provided in accordance with the portal's rules and technical requirements.

(2) In this regulation, the "European e-Justice portal" means the single European electronic access port for legal information, judicial and administrative institutions, registers, databases and other services referred to in Directive 2009/101/EC.

Data Protection.

4. The processing of personal data carried out in the context of Directives 2009/101/EC or 89/666/EEC is subject to the Data Protection Act 2004.