



COMPANIES ACT 1931

COMPANIES (FEES AND DUTIES) ORDER 2008

Approved by Tynwald 12th March 2008

Coming into operation 6th April 2008

In exercise of the powers conferred on the Financial Supervision Commission by Section 283A of the Companies Act 1931^(a), and all other powers enabling it in that behalf, with the concurrence of the Treasury the following Order is hereby made:-

1. Citation, commencement and interpretation

(1) This Order may be cited as the Companies (Fees and Duties) Order 2008 and, subject to Section 283A(3) of the 1931 Act, shall come into operation on 6th April 2008.

(2) In this Order -

“1931 Act” means the Companies Act 1931;

“annual return” means an annual return as required by section 109(1) of the Act;

“charity” means a company which on its return date is registered as a charity under the Charities Registration Act 1989^(b), or a company that is a wholly owned subsidiary of a charity;

“Companies Acts” means the Companies Acts 1931 to 2004;

“company” means a company formed and registered or registered under the Companies Acts;

“company document” means a document held by the Financial Supervision Commission under the Companies Acts 1931 to 2004.

“dormant” means a company which is administered by the holder of a fiduciary licence issued in respect of the activities specified in section 1(2)(a) of the Corporate Service Providers Act 2000^(c) and which has not undertaken any activity

(a) XIII p. 235

(b) 1989 c.11

(c) 2000 c.13

by way of business or otherwise, has no assets or liabilities and has neither received income nor incurred expenditure other than costs associated with the incorporation of the company and issue of its shares;

“excepted” means a company that is either:

- (a) a charity, or
- (b) a property management company.

“online” means remote access to company documents held on the Financial Supervision Commission, Companies Registry Public Viewing System by means of the Internet;

“property management company” means a non-profit making company whose sole purpose is to receive regular payments from occupants of a residential property which are used by that company solely for its administration and the management, repair and maintenance of the common parts of that property;”

“return date” has the same meaning as “the company’s return date” in section 109(1A) of the 1931 Act.

2. Fees and duties in respect of Companies

The table of fees and duties set out in the Schedule shall be taken in the office for the registration of companies in respect of the matters specified.

3. Revocation

The Companies (Fees and Duties) Order 2005^(d) and the Companies (Fees and Duties) (Amendment) Order 2007^(e) are revoked.

The Companies (Fees and Duties) (On Line Public Viewing System) Order 2004^(f) is revoked.

(d) SD 211/05

(e) SD 155/07

(f) SD156/04

SCHEDULE

Article 2

FEES AND DUTIES PAYABLE TO THE FINANCIAL SUPERVISION COMMISSION IN RESPECT OF COMPANY REGISTRATION MATTERS

PART 1		Fee
<u>Incorporation of companies having a share capital</u>		
1	For the registration of a company under the Companies Acts - (a) where the nominal capital of the company does not exceed £2,000 (b) where the nominal capital of the company exceeds £2,000 and for every £1,000 or part thereof in excess of £2,000 (with a maximum aggregate fee of £5,000)	£130.00 £130.00 £16.00
2	On delivery of a statement of first directors and secretary under Section 20 of the Companies Act 1982 ^(f)	£60.00
3	For registration of an increase in the share capital of a company	A fee calculated in accordance with entry 1, equal to the difference between the fee which would be payable on the registration of a company by reference to the existing share capital and the fee which would be payable by reference to the increased share capital.
4	(1) For registration of an existing company (2) No fee shall be charged under this entry if the existing company is not registered as a limited company, or if before its registration as a limited company the liability of the shareholders was limited by any enactment or by letters patent.	The same fee as is charged for the registration of a company under entry 1.

(f) 1982 c.2

PART 2		
<u>Incorporation of companies not having a share capital</u>		
5	For the registration of a company under the Companies Acts	£130.00
6	On delivery of a statement of first directors and secretary under section 20 of the Companies Act 1982	£60.00
7	(1) For the registration of an existing company (2) Entry 4(2) shall apply to this entry as it applies to entry 4.	The same fee as is charged for registration of a company under Entry 5
PART 3		
ANNUAL RETURNS		
<u>Annual return fee for companies other than an excepted or dormant company</u>		
8	When a company, other than an excepted company or a dormant company delivers an annual return within the time limits prescribed by the Act.	£320.00
9	When a company, other than an excepted company or a dormant company, delivers an annual return later than one month after the latest date for completing the same. <i>Length of delay, measured from the date the annual return is due</i> <div style="text-align: right; margin-right: 20px;"> 1 month or less; 1 month and one day to 3 months; 3 months and one day to 6 months; More than 6 months; </div> The above amounts are inclusive of the prescribed filing fee for the annual return.	£385.00 £430.00 £490.00 £550.00
<u>Annual return fee for a dormant company from 6th April 2008</u>		
10	When a dormant company delivers an annual return with a return date on or after 6 th April 2008 within the time limits prescribed by the Act.	£75.00
11	When a dormant company delivers an annual return with a return date on or after 6 th April 2008 later than one month after the latest date for completing the same. <i>Length of delay, measured from the date the annual return is due</i> <div style="text-align: right; margin-right: 20px;"> 1 month or less; 1 month and one day to 3 months; 3 months and one day to 6 months; More than 6 months; </div> The above amounts are inclusive of the prescribed filing fee for the annual return.	£140.00 £185.00 £245.00 £305.00

Annual return fee when the return is delivered by a dormant company and the return date is between the 6th April 2007 and 5th April 2008 inclusive

12	<p>Where a dormant company delivers an annual return on or after the 6th April 2008, with a return date between the 6th April 2007 and 5th April 2008 inclusive, later than one month after the latest date for completing the same:</p> <p><i>Length of delay, measured from the date the annual return is due</i></p> <p style="text-align: right;">1 month or less; £65.00 1 month and one day to 3 months; £110.00 3 months and one day to 6 months; £170.00 More than 6 months; £230.00</p> <p>Where a dormant company delivers an annual return on or after the 6th April 2008, with a return date between the 6th April 2007 and 5th April 2008 inclusive, within the time prescribed by the Act there is no annual return fee.</p>	
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Annual return fee for an excepted company

13	<p>Where an excepted company delivers an annual return later than one month after the latest date for completing the same.</p> <p><i>Length of delay, measured from the date the annual return is due</i></p> <p style="text-align: right;">1 month or less; £65.00 1 month and one day to 3 months; £110.00 3 months and one day to 6 months; £170.00 More than 6 months; £230.00</p> <p>Where an excepted company delivers an annual return within the time limits prescribed by the Act there is no annual return fee.</p>	
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Annual return date prior to 5th April 2007

14	When a company delivers an annual return on or after the 6 th April 2008, with a return date on or before the 5 th April 2007.	£305.00
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PART 4

Late filing fee for documents other than the annual return

15	<p>(1) For filing any other document outside such time limit as is prescribed by the Companies Acts</p> <p><i>Length of delay, measured from the date the document is due</i></p> <p style="text-align: right;">1 month or less; £65.00 1 month and one day to 3 months; £110.00 3 months and one day to 6 months; £170.00 More than 6 months; £230.00</p> <p>(2) This entry shall not apply to -</p>	
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	<p>(a) The statement sent to the Financial Supervision Commission under section 267 of the 1931 Act;</p> <p>(b) The delivery to the Financial Supervision Commission of a copy of an order of the High Court declaring a dissolution of a company to be void under section 272 of the 1931 Act.</p> <p>(c) The delivery to the Financial Supervision Commission of a copy of an order of the High Court restoring a company to the register under section 273 or 273A of the 1931 Act; and</p> <p>(d) The delivery to the Financial Supervision Commission of the abstract required under section 281 of the 1931 Act;</p>	
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PART 5

Miscellaneous filing fees

16	<p>For:</p> <p>(a) making an application for a declaration of dissolution under section 273A of the 1931 Act</p> <p>(b) filing a copy of a court order for restoration of a company to the Register under sections 273 or 273A of the 1931 Act.</p> <p>(c) filing a copy of a court order declaring a dissolution of a company to be void under section 272 of the 1931 Act</p>	<p>£54.00</p> <p>£160.00</p> <p>£160.00</p>
17	For an application to the Financial Supervision Commission under section 273B of the 1931 Act	£1,050.00
18	Each inspection of a company file or any document which the Financial Supervision Commission may be required to produce for inspection under the Companies Acts.	£2.50
19	Each issue of any duplicate certificate under the Companies Acts.	£7.50
20	Photocopies, electrostatic photocopies or copies by any similar process (per page).	£0.24
21	Certification of a copy.	£1.25
22	<p>Extraction fee for the supply of information from a company file.</p> <p>This item does not include the cost of copies which will be charged in accordance with item 20.</p>	£33.00
23	Requisition for a Certificate of Fact containing a summary of	

	information from a Company file.	£40.00
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PART 6		
COMPANIES INCORPORATED OUTSIDE THE ISLAND		
24	For registration of a company under Part XI of the 1931 Act	£156.00
25	When a company incorporated outside of the Isle of Man other than an excepted company, delivers a copy of its annual declaration as required by section 315A of the Act.	£320.00

PART 7		
FEES AND DUTIES IN RESPECT OF VIEWING DOCUMENTS ON LINE		
26	Inspecting any company document held by the Registrar under the Act, online. Document Type 1. Prospectus 2. Accounts 3. All other company documents	 £5.50 Per document £5.50 Per document £1.10 Per document

Made this 8th day of February 2008

John Aspden

Commissioner

Bryan Stott

Commissioner

EXPLANATORY NOTE

(This note is not a part of the Order)

This order prescribes the fees to be charged in the Companies Registry.