



COMPANIES ACT 2006

COMPANIES (FEES, DUTIES AND PENALTIES) REGULATIONS 2008

Laid before Tynwald 11th March 2008

Coming into operation 6th April 2008

In exercise of the powers conferred on the Registrar of Companies by section 212 and 215 of the Companies Act 2006^(a), and all other powers enabling it in that behalf, and after consultation with the Treasury the following Regulations are hereby made:-

1. Citation, commencement and interpretation

(1) These Regulations may be cited as the Companies (Fees, Duties and Penalties) Regulations 2008 and shall come into operation on the 6th April 2008.

(2) In these Regulations –

“the Act” means the Companies Act 2006;

“annual return” means an annual return as required by section 85 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;

“company document” means a document held by the Registrar under the Companies Act 2006.

“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 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;

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

“online” means remote access to company documents held by the Registrar 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 meaning given in section 85(3) of the Act;

2. Fees and duties in respect of companies

The fees, duties and penalties set out in the schedule shall be taken by the Registrar in respect of the matters specified.

3. Revocation

The Companies (Fees, Duties and Penalties) Regulations 2006^(d) and the Companies (Fees, Duties and Penalties) (Amendment) Regulations 2007^(e) are revoked.

(d) SD735/06 (e) SD156/07

SCHEDULE

Article 2

PART 1		Fee
<u>Incorporation fee</u>		
1	For the incorporation of a company under the Act:	£190
<u>Annual return fee for companies other than an excepted or dormant company</u>		
2	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
3	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> 1 month or less; 1 month and one day to 3 months; 3 months and one day to 6 months; More than 6 months;	 £385 £430 £490 £550
The above amounts are inclusive of the prescribed filing fee for the annual return.		
<u>Annual return fee for a dormant company from 6th April 2008</u>		
4	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
5	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> 1 month or less; 1 month and one day to 3 months; 3 months and one day to 6 months; More than 6 months;	 £140 £185 £245 £305
The above amounts are inclusive of the prescribed filing fee for the annual return.		
<u>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</u>		
6	Where a dormant company delivers an annual return on or after 6 th April 2008, with a return date between the 6 th April 2007 and 5 th April 2008 inclusive, 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> 1 month or less; 1 month and one day to 3 months; 3 months and one day to 6 months; More than 6 months;	 £65 £110 £170 £230
Where a dormant company delivers an annual return on or after 6 th April 2008, with a return date between the 6 th April 2007 and 5 th April 2008 inclusive, within the time prescribed by the Act there is no annual return fee.		

<u>Annual return fee for an excepted company</u>		
7	Where an excepted 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> 1 month or less; 1 month and one day to 3 months; 3 months and one day to 6 months; More than 6 months;	£65 £110 £170 £230
Where an excepted company delivers an annual return within the time limits prescribed by the Act there is no annual return fee.		
<u>Annual return date prior to 5th April 2007</u>		
8	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
<u>Late Filing Fee for documents other than the annual return</u>		
9	For filing any document other than an annual return outside such time limit as is prescribed by the Act: <i>Length of delay, measured from the date the document is due</i> 1 month or less; 1 month and one day to 3 months; 3 months and one day to 6 months; More than 6 months;	£65 £110 £170 £230
PART 2		
<u>Re-Registration of a 1931 Company</u>		
10	On delivery of an application to re-register under section 148 of the Act	£93
<u>Consolidations</u>		
11	On delivery of the memorandum and articles of a consolidated company under section 154(2) of the Act	£190
12	On delivery of the memorandum and articles of a consolidated company under section 159(3)(d) of the Act	£190
<u>Continuation</u>		
13	On delivery of an application under section 162 to be continued as a company under the Act	£360
14	1) On delivery of an application under section 167 to be continued in a country or territory outside the Isle of Man 2) For each application where the Registrar is satisfied that: a) the applicant is a member of a group of companies; and b) another member of that group has made an application mentioned in entry 1 of Part 1.	£2,800 £1,130
15	On delivery of a certified copy of the instrument of continuance under section 169 of the Act	£50

Restoration and dissolution		
16	On delivery of an application to restore a company under section 187 of the Act	£1,050
17	On delivery of a copy of a court order restoring a company under section 188 of the Act	£160
18	On delivery of an application for a declaration of dissolution under section 190 of the Act	£54
19	On delivery of a copy of a court order restoring a company under section 191 of the Act	£160
20	On delivery of an application to restore a company under section 192 of the Act.	£1,030
PART 3		
Other fees		
21	Each inspection of a company file or any document which the Registrar may be required to produce for inspection under the Act.	£2.50
22	Each issue of any duplicate certificate under the Act	£7.50
23	Photocopies, electrostatic photocopies or copies by any similar process (per page).	£0.24
24	Certification of a copy	£1.25
25	Extraction fee for the supply of information from a company file This item does not include the cost of copies which will be charged in accordance with item 23.	£33.00
26	On delivery of a request for a certificate of good standing under Section 211 of the Act	£40.00
PART4		
Fees and duties in respect of viewing documents on line		
27	Inspecting any company document held by the Registrar under the Act, online. Document Type 1. Offer Document 2. All other company documents	 £5.50 per document £1.10 per document

Made this 8th day of February 2008

John Aspden

Commissioner

Bryan Stott

Commissioner

Registrar of Companies
Financial Supervision Commission

EXPLANATORY NOTE

(This note is not a part of the Order)

This order prescribes the fees to be charged by the Registrar of Companies in respect of the Companies Act 2006. The Financial Supervision Commission's website address is www.fsc.gov.im