

Financial Supervision Commission

Companies Registry
P O Box 345
Finch Hill House
Bucks Road, Douglas
Isle of Man
IM99 2QS
Telephone: +44(0) 1624 689389
Facsimile: +44(0) 1624 689397
Email: companies@fsc.gov.im

P O Box 58
Finch Hill House
Bucks Road
Douglas
Isle of Man
IM99 1DT

Practice Note

Practice Note 2/2003

1st October 2003

Company Searches and Inspection of Documents

Introduction

This Practice Note replaces Practice Note 2/2002 “Company Searches and Inspection of Documents”, issued in February 2002.

Section 284A of the Companies Act 1931 provides that any person may, on payment of the prescribed fee, inspect a copy of any document filed pursuant to the Companies Acts or, where the copy is illegible or unavailable, the document itself.

The Financial Supervision Commission (the Commission) holds electronic images of all statutory company documents filed in relation to companies, which were ‘live’ on 25th March 2002. The oldest records date back to 1865.

The scanning of company documents to ensure the continued safekeeping of public records through the establishment of appropriate contingency arrangements and provides enhanced levels of public access to copy documents by way of an on-line public access system. On-line search facilities, which currently operate within the confines of the Registry, will be made available through the World Wide Web by the end of 2003.

Opening Hours

The Companies Registry will be open Monday to Friday between 9.00am and 4.30pm.

The Companies Registry will remain closed on the first Wednesday of each month until 11.00 am for staff training.

Availability of Original Documents and Correction of Errors

Whilst every care is taken to ensure that the records maintained by Companies Registry are accurate, the large volume of documents, held, may give rise to a small number of copy documents either being illegible or indexed incorrectly, We apologise for any inconvenience this may cause. Ongoing quality assurance work continues and

errors are corrected as they are found. However, if you identify any discrepancy or error please bring it to our attention and we will correct it.

Arrangements are in place where, in the event such errors are detected during the course of a search, original documents will be made available to the searcher within the times specified below. Alternatively, the error can be corrected and a copy of the amended document forwarded to an email address of the searcher's choosing within the same timescales and at no extra cost.

Users should note that records for companies dissolved on or before 25th March 2002 have not been scanned. The files for such companies will be made available to users on request within the time scales specified below.

Targets for the Availability of original Documents and Correction of Errors

For documents or files requested before 11.00 am on any working day, errors will be corrected and an amended copy issued on a same day basis.

For documents or files requested after 11.00 am but before 4.30 pm on any working day, errors will be corrected and an amended copy issued by 11.00 am on the next working day.

We will make available dissolved company files by 1.00 pm on any working day when a request is received before 11.00 am on that working day and by 1.00 pm on the next working day when the request is received after 11.00 am.

Legislative Reference

284A Inspection, production and evidence of documents kept by Financial Supervision Commission

(1) Any person may inspect-

(a) a copy of any document, kept by the Financial Supervision Commission; or

[Para (a) amended by Companies (Transfer of Functions) Act 2000 Sch 1.]

(b) if the copy is illegible or unavailable, the document itself, on payment of such fees as may be prescribed under section 283A and any person may require a certificate of the incorporation of any company, or a copy or extract of any other document or any part of any other document, to be certified by the Financial Supervision Commission, on payment for the certificate, certified copy or extract, of such fees as may be prescribed under section 283A.

[Subs (1) amended by Companies Act 1986 Sch 2, by Fees and Duties Act 1989 Sch 2, by Companies Act 1992 Sch 1 and by Companies (Transfer of Functions) Act 2000 Schs 1 and 2.]

(2) No process for compelling the production of any document kept by the Financial Supervision Commission shall issue from any court except with the leave of that court, and any such process if issued shall bear thereon a statement that it is issued with the leave of the court.

[Subs (2) amended by Companies (Transfer of Functions) Act 2000 Sch 1.]

(3) A copy of or extract from any document kept and registered at any of the offices for the registration of companies, certified to be a true copy by the Financial Supervision Commission (whose official position it shall not be necessary to prove) shall in all legal proceedings be admissible in evidence as of equal validity with the original document.

[Subs (3) amended by Companies (Transfer of Functions) Act 2000 Sch 1.]

(4) In this section, a copy is to be treated as the copy of a document if it is taken from a copy or other reproduction of the original.

[Subs (4) added by Companies Act 1992 Sch 1.]