

ISLAND OF ALDERNEY

ORDINANCE OF THE STATES

Made

Coming into force *1st January, 2013*

THE COMPANIES (ALDERNEY) LAW (FEES) ORDINANCE, 2012

THE STATES OF ALDERNEY, in exercise of the powers conferred on them by sections 159 and 164 of the Companies (Alderney) Law 1994^a and of all other powers enabling them in that behalf, hereby order:-

Amendment of the 1994 Law.

1. The 1994 Law is amended as set out in sections 2 to 4.

Increase of late filing fee.

- 2.** In section 107(7) of the 1994 Law –
- (a) in paragraph (a) for “£59” substitute “£61”;
 - (b) in paragraph (b) for “£116” substitute “£120”;
 - (c) in paragraph (c) for “£174” substitute “£180”.

Increase of fee to restore to register.

- 3.** In section 108(4)(b) of the 1994 Law, for “£174” substitute “£180”.

Increase of certain fees under 1994 Law.

- 4.** In section 159(1) of the 1994 Law –
- (a) in paragraph (a) for “£116” substitute “£120”;
 - (b) in paragraph (b) for “£37” substitute “£39”;
 - (c) in paragraph (c) for “£37” substitute “£39”;
 - (d) in paragraph (d) for “£25” substitute “£26”;
 - (e) in paragraph (e) for “£25” substitute “£26”;
 - (f) in paragraph (f) for “£59” substitute “£61”;
 - (g) in paragraph (g) for “£59” substitute “£61”;
 - (h) in paragraph (h) for “£37” substitute “£39”;
 - (i) in paragraph (i) for “£37” substitute “£39”;
 - (j) in paragraph (j) for “£25” substitute “£26”;
 - (k) in paragraph (k) for “£25” substitute “£26”;

^a Ordres en Conseil Vol. XXXV(2), p. 777 as amended by Ordres en Conseil Vol. XLII(1), p. 420 and Alderney Ordinance No. XV of 2011 and to which there are other amendments not relevant to this Ordinance.

- (l) in paragraph (l) for “£59” substitute “£61”; and
 - (m) in paragraph (m) for “£43” substitute “£45”.
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Other fees for purposes of 1994 Law.

5. Upon the occurrence in relation to a company of any of the following events under the 1994 Law, the company or as the case may be the applicant shall pay to the Registrar the following fees -
- (a) upon the delivery to the Registrar of a return of allotments under section 40, £33;
 - (b) upon the delivery to the Registrar of a copy resolution under section 53 in relation to the company’s share capital, £33;
 - (c) upon the giving of notice to the Registrar under section 54(5) of the redemption of redeemable preference shares, £33;
 - (d) for the lodging with the Registrar under section 150 of an inspectors’ report, £33;
 - (e) for the delivery by the directors under paragraph 9 of Schedule 7 of a certificate required to be signed under paragraph 5, 6 or 8 of that Schedule, £33;
 - (f) for an application to the Registrar [under section 27(7) or 106(7)] for the entry in the Register of Companies of a copy of any order of the Court, £33;
 - (g) for the delivery to the Registrar, as referred to in section 102(2), of a copy of a special resolution for entry in the Register of Companies, £33;
 - (h) for an inspection of the Register of Companies, or of the records in respect of a company which has been struck off or otherwise dissolved, £13 per company; and for the purposes of this paragraph the Register and records shall be deemed to include the company’s memorandum and articles, its certificate of registration, its annual returns, its special resolutions and all other documents required by law –
 - (i) to be given to the Registrar in relation to the company; or
 - (ii) to be entered by the Registrar in the Register of Companies;
 - (i) for the supply by the Registrar of a photocopy of any document described in paragraph (h), £1.25 per A4 side;
 - (j) for the document described in paragraph (h) by facsimile, £15;
 - (k) for an application to change the Director or Company Secretary, £26; and
 - (l) for the supply of any of the documents described in paragraph (h) by scanned image, £30 for the first 10 A4 sides plus £1.25 for each additional A4 side thereafter.

Interpretation.

6. (1) In this Ordinance, the "**1994 Law**" means the Companies (Alderney) Law, 1994, and, unless the context requires otherwise, words and phrases used for the purpose of this Ordinance have the same meaning as used for the purpose of the 1994 Law.
- (2) The Interpretation (Guernsey) Law, 1948^b shall apply to the interpretation of this Ordinance.

^b Ordres en Conseil Vol. XIII, p.355.

- (3) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, repealed and re-enacted (with or without modification), extended or applied.

Repeal.

7. The Companies (Alderney) Law (Fees) Ordinance, 2011 is repealed.

Citation.

8. This Ordinance may be cited as the Companies (Alderney) Law (Fees) Ordinance, 2012.

Commencement.

9. This Ordinance shall come into force on 1st January, 2013.
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