

[QUOTE="auric, post: 52046, member: 1921"]It seems soon this is also not a valid way to get something setup that protect your privacy in any matters. Soon the Scottish LLP model is dead and people will have to look in other directions!

What are our options, someone knows?[/QUOTE]

An issue is of course "the register of people with significant control".  
From 6 April 2016 individuals and legal entities with significant control over ... Limited Liability Partnerships (LLPs) will need to be identified on the people with significant control (PSC) register for their respective entity. ...  
From 30 June 2016 onwards companies, SEs and LLPs will have to deliver this information annually to the central public register at Companies House when making a Confirmation Statement

So the SLC has to collect the information of it's PSCs and than annually forward it to Companies House.

Looking at the [Guidance\\_for\\_PSCv2.pdf](#) I see aspects that soften the power if it further:

A company must actively seek information about its PSCs. If you have not volunteered your information, the company must send you a notice within one month of becoming aware that you are a PSC. You must reply within one month of receipt.

...

The company may also send notices to someone who knows about your interest, rather than to you personally. This might be a nominee, professional advisor or family member, for example. Anyone in receipt of a notice must reply.

So what I see is, that the company's own records can be outdated 2 months or more and the Companies House's even a year.

## **RLE**

A PSC can also be an entity (Registrable Relevant Legal Entity - RLE)  
A RLE does not have to provide it's owner or director (only Name of the legal entity + The address of its registered or principal office + The legal form of the entity and the law by which it is governed + If applicable, a register in which it appears (including details of the state) and its registration number + some details about it's power in the SLP, see [Guidance\\_for\\_PSCv2](#))

A company can be a RLE, if one of these applies:

- keeps its own PSC register

- is subject to Chapter 5 of the Financial Conduct Authority's DTRs rules

or

- has voting shares admitted to trading on a regulated market in the UK or European Economic Area (other than the UK) or on specified markets in Switzerland, the USA, Japan and Israel

A **PSC** is someone, if one of these applies:

- more than 25% of the shares

- more than 25% of the voting rights in the company

- you hold, the right to appoint or remove the majority of the directors

- the right to exercise, or actually exercises, significant influence or control

or

- an individual is a PSC of your company if they have then right to exercise, or actually exercises, significant influence or control over the activities of a trust or a firm, which in turn satisfies any of the first four conditions

(all regardless if directly or indirectly, EG if shares or rights are held through a nominee, then you are still treated as holding those shares and could be a PSC. )

If I got it right, the SLP would hold it's own records and only send some of it to Companies House (not necessarily the residential address and the DoB).

These **personal details** a PSC needs to provide are:

- Name

- (full) Date of birth (not in public register)

- Nationality

- Country, state or part of the UK where you usually live

- Service address

- usual residential address (not in public register)

plus some details about the control that person has (see [Guidance\\_for\\_PSCv2](#))

So that is the situation is theory in short.

A bit unclear are 4.5.2 and 4.5.3 - how can the Companies House provide DoB and residential address to law enforcement if the company does not have to provide that information?

*Also... what is someone stays on hotels (has no usual residential address) ?*

*What if the (last know person) died and does not update records?*

*What is the SLP's records are outdated?*

*What if the SLP would not keep them (correctly) and if law enforcement asks provides what is working best at that point of time for the actual beneficial.*

*So what I see is, that this will not help too much against money laundering.*

*One might just choose his/her nominee carefully and that's it.*

*Or what if the actual beneficiary would pose as a nominee and provide details of some drug addict who claims on paper to be the PSC?*