



A Register of Beneficial Owners of Overseas Companies and Other Legal Entities

ICAEW welcomes the opportunity to comment on the *A Register of Beneficial Owners of Overseas Companies and Other Legal Entities* published by BEIS on 5 April 2017, a copy of which is available from this [link](#).

Given the consultation period is less than 12 weeks, BEIS should be aware of the resulting limitation in respondents' processes for preparing a response and the ability of BEIS to draw valid conclusions from the consultation exercise. We refer to government guidance regarding consultations <https://www.gov.uk/government/publications/consultation-principles-guidance>.

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MAJOR POINTS

1. We are making this response on the basis of very limited consultation with our members reflecting the short timeframe allowed for responses.
2. ICAEW have previously responded to Government consultations on beneficial ownership transparency (regarding beneficial ownership registers for UK Companies). We have queried both the necessity and the value of making such registers public and these considerations are also relevant to the proposals in this consultation, as are concerns around the operational practicalities and the quality control over submitted information. However, The Small Business Enterprise and Employment Act 2015 created an uneven playing field for UK Companies and we are therefore supportive of measures to address this, including, in principle, registries of the kind proposed, and it is difficult to see that these registers could reasonably be kept private when those of UK companies are required to be made public.
3. In the interests of meeting the stated objective of 'useful information' we would urge the Government to ensure that adequate due diligence (or at the very least a sense check) is carried out on the information by Companies House at point of submission, and to bring the UK company register of Persons with Significant Control in line with such an approach. Some practical issues also need resolving.. For example, the register is to include all legal entities worldwide that are able to hold property, but how will the relevant registries be in a position to verify information concerning such a wide variety of forms and governing laws with which they have no familiarity, without professional advice? Furthermore, ongoing reviews of the quality of information held on such a registry will be difficult since changes in ownership of foreign companies cannot be effectively monitored on a unilateral basis, and laundered money moves quickly.