Draft Order laid before Parliament under section 14(1) of the Legislative and Regulatory Reform Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No. 0000

REGULATORY REFORM PARTNERSHIPS

The Legislative Reform (Limited Partnerships) Order 2009

Made - - - -	*2009*
Coming into force - -	*1st October 2009*

The Secretary of State for Business, Enterprise and Regulatory Reform makes the following Order in exercise of the powers conferred by section 1 of the Legislative and Regulatory Reform Act 2006(**1**) (power to remove or reduce burdens).

The Secretary of State considers that the conditions in section 3(2) of that Act are satisfied in respect of the provision made by this Order.

The Secretary of State has consulted in accordance with section 13(1) and (2) of that Act(**2**).

The Secretary of State laid a draft Order and an explanatory document before Parliament in accordance with section 14(1) of that Act.

Pursuant to section 15 of that Act, the affirmative resolution procedure (within the meaning of Part 1 of that Act) applies to the making of this Order.

In accordance with section 17(2) of that Act, the draft has been approved by resolution of each House of Parliament after the expiry of the 40-day period referred to in section 17(2).

Title

1. This Order may be cited as the Legislative Reform (Limited Partnerships) Order 2009.

Commencement

2. This Order comes into force on 1st October 2009 and applies to limited partnerships for which registration applications are received on or after that day.

(**1**) 2006 c.51. Sections 1 and 4 were amended by the Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), Schedule 1, paragraphs 144 and 145.

(**2**) Section 13 was amended by the Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), Schedule 1, paragraph 147.

Overview

3.—(1) This Order makes provision about the registration of limited partnerships under the Limited Partnerships Act 1907(**3**).

(2) Articles 4 to 7 of this Order form a series of new sections to be inserted in the 1907 Act in place of section 8 (manner and particulars of registration).

New section 8: Duty to register

4. The new section 8 is as follows—

"**Duty to register**

8. The registrar shall register a limited partnership if an application is made to the registrar in accordance with section 8A."

New section 8A: Application for registration

5. The new section 8A is as follows—

"**Application for registration**

8A.—(1) An application for registration must—

(a) specify the firm name, complying with section 8B, under which the limited partnership is to be registered,

(b) contain the details listed in subsection (2),

(c) be signed or otherwise authenticated by or on behalf of each partner, and

(d) be made to the registrar for the part of the United Kingdom in which the principal place of business of the limited partnership is to be situated.

(2) The required details are—

(a) the general nature of the partnership business,

(b) the name of each general partner,

(c) the name of each limited partner,

(d) the amount of the capital contribution of each limited partner (and whether the contribution is paid in cash or in another specified form),

(e) the address of the proposed principal place of business of the limited partnership, and

(f) the term (if any) for which the limited partnership is to be entered into (beginning with the date of registration)."

New section 8B: Name of limited partnership

6. The new section 8B is as follows—

" **Name of limited partnership**

8B.—(1) This section sets out conditions which must be satisfied by the firm name of a limited partnership as specified in the application for registration.

(**3**) 1907 c.24; section 17 of that Act was amended by the Companies Act 2006 (c.46), Schedule 16.