

## Memorandum for the Finance Committee

### REVIEW OF FEES AND CHARGES

#### Decision Sought

Committee is asked to agree the proposed increases in fees and charges as set out in the table below and in the attached draft Legal Notices for statutory fees.

#### Background and Considerations

1. As part of the 2021-2024 budget process, Directorates have been asked to review statutory and discretionary fees and charges in accordance with SHG's Charging Policy 2013.
2. Statutory fees falling under the remit of the Finance Committee are those for Companies, Trade Marks and Patents fees. Companies and Trade Marks fees were last increased with effect from April 2020. Patent Fees have remained the same since 1989. Responsibility for increasing these fees has been that of the Registrar of Patents but a Correction Order was issued in 2018 transferring the responsibility to issue Regulations to the Governor in Council; this was overlooked during the review of fees and charges earlier this year.
3. The table below shows current fees and proposed fees which the Finance Committee is asked to consider and agree for implementation from 1 April 2021; inflation of 2.6% has been applied, as required in the MTEF 2021-24 guidelines.

FEE DESCRIPTION	CURRENT FEE	PROPOSED FEE
<u>Companies Fees</u>		
For incorporation of a private company specified under section 184 of the Ordinance, or a company limited by guarantee	£80.50	£82.60
Incorporation of any other company	£741	£760.25
Registration of an overseas company	£375.60	£385.35
Reservation of a name – any company	£49.40	£50.70
Amendment to Articles (excluding section 184 (4))	£80.50	£82.60
Amendment to Articles made pursuant to section 184 (4)	£741	£760.25
Annual return (any company)	£21.60	£22.15

Financial Statement (specified private company or company limited by guarantee)	Nil	Nil
Financial statement (where the above does not apply)	£80.50	£82.60
Any other document	£16.10	£16.50
To view information at a computer terminal in the Registrar's office	£5.35 for each 20 minutes or part thereof	£5.50 for each 20 minutes or part thereof
To print information from a computer in the Registrar's office	£1.65 per A4 page (single sided)	£1.70 per A4 page (single sided)
To view summary information via a website maintained by the Registrar	Nil	Nil
To access copies of registered documents via website maintained by the Registrar	£10.75 per document	£11.00 per document
Certification by the Registrar of any document held by him	£16.10	£16.50
Issue by the Registrar of a certificate regarding any information held by him (excluding a certificate of registration or incorporation issued at the time of registration or incorporation, or a certificate of actual or intended dissolution)	£37.55	£38.50
<u>Trade Marks</u>		
1) For registration of a trade mark (including filing of all necessary documents and the issue of a certificate of registration)	£107.30	£110.10
2) For the registration of a series of trade marks (including the filing of all documents, and the issue of a certificate of registration)		
For the first mark	£107.30	£110.10
For every other mark in the series	£53.65	£55.00
3) For registration of an assignment of a single mark (including the filing of all necessary documents and the endorsement on the certificate of registration)	£53.65	£55.00
4) For the registration of an assignment of more than one mark standing in the same name, the devolution of the title being identical in each case (including the filing of all necessary documents etc.):		

For the first mark	£53.65	£55.00
For each other mark	£30.05	£30.85
5) For the registration of a registered user of a trade mark or a series of trade marks –		
For the first of a series	£53.65	£55.00
For each other mark	£30.05	£30.85
6) For a certificate of registration of a registered user of a trade mark	£53.65	£55.00
7) For filing notification of a renewal of a trade mark or a series of trade marks, including the endorsement on the certificate of registration	£69.75	£71.40
8) Applications under section 16 of the Ordinance:		
For cancellation of a mark wholly	£40.80	£41.85
For cancellation of the registration of a mark in part	£30.05	£30.85
For correction of any clerical error	£30.05	£30.85
For change of name or address	£30.05	£30.85
9) For certified copies or extracts of any documents filed:		£3.35
If copies are photographic, per sheet	£3.25	£3.35
If copies are type-written, per folio of 100 words	£3.25	£41.85
In either case, minimum fee	£40.80	
For every search of the Register	£16.10	£16.50
<u>Patents Fees</u>		
On filing a certified copy of letters patent and specifications (fee includes issue of certificate of registration)	£60	£100
On substituting amended specifications on drawings, for every certificate of registration affected	£22.50	£28.00
On registering every assignment, transfer or transmission for every certificate of registration affected	£22.50	£28.00
For every search	£12.00	£15.00
Registrar's certificates, for every endorsement	£22.50	£25.00

## **Financial Implications**

It is anticipated that approval of these proposed increases will have minor positive financial implications for SHG in that additional revenue will be achieved.

## **Economic Implications**

This modest assumed increase in revenue will not have any significant economic implications.

## **Consistency with Investment Policy Principles**

Not applicable.

## **Public/Social Impact**

As these are modest increases which do not affect the wider population, there is unlikely to be any significant adverse public impact.

## **Environmental Impact**

None.

## **Previous Consultation/Committee Input**

Not applicable, although these increases are being proposed in accordance with SHG's Charging Policy 2013; increases in these Statutory fees will need to be endorsed by Executive Council.

## **Public Reaction**

As these are modest increases which do not affect the wider population there is unlikely to be any adverse reaction from the public.

**Publicity** - If endorsed, the revised Legal Notices will be publicised on the SHG website.

## **Support to 10-Year Plan: Altogether Wealthier**

Corporate Support

11<sup>th</sup> November 2020