

## Registration of charges

When a company gives security for its obligations, the prescribed particulars of any charge must be registered at Companies House. A Form 395 must be duly completed and filed, together with the original charging document within 21 days of the creation of the charge.

If the charge is not registered at Companies House within this timescale it is void against an administrator or liquidator of the company and against any person who, for value, acquires an interest in or a right over the property which is charged. Any debt owed by the company to the lender still remains outstanding but it ranks as an unsecured debt in the event of the company's insolvency.

Although it is primarily the responsibility of the company to register prescribed particulars of any charge, it is the chargee who will suffer if the charge is not registered or if it is registered late. Due to this, it is common for the chargee to arrange for the registration of the charge.

If the 21 day registration period is missed, then the court has the power to order an extension of time but this remedy is far from automatic.

Details of any charge created by the company should also be kept in the company's own register of charges at its registered office.

### Jordans' services

Jordans can assist you with charge registrations at Companies House. We offer two levels of service:

We can prepare the required Form 395 on your behalf and lodge this with the original charge document with Companies House. Our fee for this service starts at £250 + VAT.

Alternatively, if you have prepared the Form 395, we check this against the charge document and handle its registration with Companies House. Our fee for this service starts at £120 + VAT.

Whichever of our services you opt for the charge documentation will be handled as a matter of priority by our experienced Corporate Legal Services team and will be hand-delivered to Companies House.

### Next steps

For more information on our charge registration service please contact our Corporate Legal Services team by emailing [helen\\_goose@jordans.co.uk](mailto:helen_goose@jordans.co.uk) or telephone (0117) 918 1322.