



Economic Crime and Corporate Transparency Act 2023

2023 CHAPTER 56

PART 3

REGISTER OF OVERSEAS ENTITIES

Offences

171 False statement offences in connection with information notices

For section 15 of the Economic Crime (Transparency and Enforcement) Act 2022 substitute—

“15 Failure to comply with notice under section 12 or 13

- (1) A person who, without reasonable excuse, fails to comply with a notice under section 12 or 13 commits an offence.
- (2) Where the offence is committed by a legal entity, the offence is also committed by every officer of the entity who is in default.
- (3) It is a defence for a person charged with an offence under this section to prove that the requirement to give information was frivolous or vexatious.
- (4) A person guilty of an offence under this section is liable—
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates’ court or a fine (or both);
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);

Changes to legislation: There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Cross Heading: Offences. (See end of Document for details)

- (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);
- (d) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both).

15A False statements under section 12 or 13: basic offence

- (1) A person who is given a notice under section 12 or 13 commits an offence if, in purported compliance with the notice and without reasonable excuse, the person makes a statement that is misleading, false or deceptive in a material particular.
- (2) Where the offence is committed by a legal entity, the offence is also committed by every officer of the entity who is in default.
- (3) A person guilty of an offence under this section is liable—
 - (a) on summary conviction in England and Wales, to a fine;
 - (b) on summary conviction in Scotland, to a fine not exceeding level 5 on the standard scale;
 - (c) on summary conviction in Northern Ireland, to a fine not exceeding level 5 on the standard scale.

15B False statements under section 12 or 13: aggravated offence

- (1) A person who is given a notice under section 12 or 13 commits an offence if, in purported compliance with the notice, the person makes a statement that the person knows to be misleading, false or deceptive in a material particular.
- (2) Where the offence is committed by a legal entity, the offence is also committed by every officer of the entity who is in default.
- (3) A person guilty of an offence under this section is liable—
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);
 - (d) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both)."

Commencement Information

11 S. 171 in force at Royal Assent for specified purposes, see **s. 219(1)(2)(b)**

12 S. 171 in force at 4.3.2024 in so far as not already in force by **S.I. 2024/269, reg. 2(z55)**

Changes to legislation: There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Cross Heading: Offences. (See end of Document for details)

172 General false statement offences

For section 32 of the Economic Crime (Transparency and Enforcement) Act 2022 substitute—

“32 False statements: basic offence

- (1) It is an offence for a person, without reasonable excuse, to—
 - (a) deliver or cause to be delivered to the registrar, for the purposes of this Part, a document that is misleading, false or deceptive in a material particular, or
 - (b) make to the registrar, for the purposes of this Part, a statement that is misleading, false or deceptive in a material particular.
- (2) Where the offence is committed by a legal entity, every officer of the entity who is in default also commits the offence.
- (3) A person guilty of an offence under this section is liable—
 - (a) on summary conviction in England and Wales, to a fine;
 - (b) on summary conviction in Scotland, to a fine not exceeding level 5 on the standard scale;
 - (c) on summary conviction in Northern Ireland, to a fine not exceeding level 5 on the standard scale.

32A False statements: aggravated offence

- (1) It is an offence for a person knowingly to—
 - (a) deliver or cause to be delivered to the registrar, for the purposes of this Part, a document that is misleading, false or deceptive in a material particular, or
 - (b) make to the registrar, for the purposes of this Part, a statement that is misleading, false or deceptive in a material particular.
- (2) Where the offence is committed by a legal entity, every officer of the entity who is in default also commits the offence.
- (3) A person guilty of an offence under this section is liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both);
 - (b) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates’ court or a fine (or both);
 - (ii) in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both).”

Changes to legislation: There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Cross Heading: Offences. (See end of Document for details)

Commencement Information

- I3** S. 172 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)
I4 S. 172 in force at 4.3.2024 in so far as not already in force by [S.I. 2024/269](#), [reg. 2\(z56\)](#)

173 Enforcement of requirement to register: updated language about penalties etc

- (1) The Economic Crime (Transparency and Enforcement) Act 2022 is amended as follows.
- (2) In section 34 (power to require overseas entity to register if it owns certain land)—
- (a) in subsection (4)(a), for “the maximum summary term for either-way offences” substitute “a term not exceeding the general limit in a magistrates’ court”;
- (b) omit subsection (5).
- (3) In section 36 (meaning of “daily default fine”) after “applies for” insert “the”.

Commencement Information

- I5** S. 173 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)
I6 S. 173 in force at 4.3.2024 in so far as not already in force by [S.I. 2024/269](#), [reg. 2\(z57\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Cross Heading: Offences.