***s.859A(1)-(5) and s. 859H of the Companies Act 2006.***

**859A Charges created by a company**

(1)  Subject to subsection (6), this section applies where a company creates a charge.

(2)  The registrar must register the charge if, before the end of the period allowed for delivery, the company or any person interested in the charge delivers to the registrar for registration a [section 859D](https://uk.westlaw.com/Document/IDB721A9191E611E299FE89618584BA63/View/FullText.html?originationContext=document&transitionType=DocumentItem&ppcid=52acdae7d96a4f889e1132cfd2c04752&contextData=(sc.DocLink)) statement of particulars.

(3)  Where the charge is created or evidenced by an instrument, the registrar is required to register it only if a certified copy of the instrument is delivered to the registrar with the statement of particulars.

(4)  *“The period allowed for delivery”*is 21 days beginning with the day after the date of creation of the charge (see [section 859E](https://uk.westlaw.com/Document/IDB7241A191E611E299FE89618584BA63/View/FullText.html?originationContext=document&transitionType=DocumentItem&ppcid=52acdae7d96a4f889e1132cfd2c04752&contextData=(sc.DocLink))), unless an order allowing an extended period is made under [section 859F(3)](https://uk.westlaw.com/Document/IDB7268B191E611E299FE89618584BA63/View/FullText.html?originationContext=document&transitionType=DocumentItem&ppcid=52acdae7d96a4f889e1132cfd2c04752&contextData=(sc.DocLink)).

(5)  Where an order is made under [section 859F(3)](https://uk.westlaw.com/Document/IDB7268B191E611E299FE89618584BA63/View/FullText.html?originationContext=document&transitionType=DocumentItem&ppcid=52acdae7d96a4f889e1132cfd2c04752&contextData=(sc.DocLink)) a copy of the order must be delivered to the registrar with the statement of particulars.

#### 859H Consequence of failure to deliver charges

(1)  This section applies if—

(a)  a company creates a charge to which [section 859A or 859B](https://uk.westlaw.com/Document/IDB71303091E611E299FE89618584BA63/View/FullText.html?originationContext=document&transitionType=DocumentItem&ppcid=16149a599a7249c0a953bd354fc1825a&contextData=(sc.DocLink)) applies, and

(b)  the documents required by [section 859A](https://uk.westlaw.com/Document/IDB71303091E611E299FE89618584BA63/View/FullText.html?originationContext=document&transitionType=DocumentItem&ppcid=16149a599a7249c0a953bd354fc1825a&contextData=(sc.DocLink)) or (as the case may be) [859B](https://uk.westlaw.com/Document/IDB71F38091E611E299FE89618584BA63/View/FullText.html?originationContext=document&transitionType=DocumentItem&ppcid=16149a599a7249c0a953bd354fc1825a&contextData=(sc.DocLink)) are not delivered to the registrar by the company or another person interested in the charge before the end of the relevant period allowed for delivery.

(2)  *“The relevant period allowed for delivery”*is—

(a)  the period allowed for delivery under the section in question, or

(b)  if an order under [section 859F(3)](https://uk.westlaw.com/Document/IDB7268B191E611E299FE89618584BA63/View/FullText.html?originationContext=document&transitionType=DocumentItem&ppcid=16149a599a7249c0a953bd354fc1825a&contextData=(sc.DocLink)) has been made, the period allowed by the order.

(3)  Where this section applies, the charge is void (so far as any security on the company's property or undertaking is conferred by it) against—

(a)  a liquidator of the company,

(b)  an administrator of the company, and

(c)  a creditor of the company.

(4)  Subsection (3) is without prejudice to any contract or obligation for repayment of the money secured by the charge; and when a charge becomes void under this section, the money secured by it immediately becomes payable.