

VIRGIN ISLANDS
BVI BUSINESS COMPANIES (AMENDMENT OF SCHEDULE 1)
(NO. 2) ORDER, 2022
ARRANGEMENT OF SECTIONS

SECTION

1. Citation and commencement
2. Schedule 1 amended

VIRGIN ISLANDS
STATUTORY INSTRUMENT 2022 NO. 89
BVI BUSINESS COMPANIES ACT
(Revised Edition 2020)

BVI Business Companies (Amendment of Schedule 1) (No. 2) Order, 2022

[Gazetted 6th October, 2022]

The Cabinet, acting on the advice of the Financial Services Commission pursuant to section 249(1) of the BVI Business Companies Act, Revised Edition 2020, makes the following Order:

Citation and commencement

1. (1) This Order may be cited as the BVI Business Companies Amendment of Schedule 1) (No. 2) Order, 2022.

(2) This Order shall come into force on the day the BVI Business Companies (Amendment) Act, 2022, No. 6 of 2022, comes into operation on the 1st January, 2023.

Schedule 1 amended

2. Schedule 1 of the BVI Business Companies Act, Revised Edition 2020, is amended

(a) in Part I

- (i) in relation to the reference to section “7(1)” in the first column, by deleting the figures “\$450, \$1,200, \$450, \$1,350, \$2,650” in the third column as they correspond to paragraphs (a), (b), (c), (d) and (e) in the second column and substituting the figures “550, \$1,350, \$550, \$1,500, \$3,000” respectively;
- (ii) in relation to the reference to section “8(1)” in the first column, by deleting the figure “\$7,500” in the third column as it corresponds to the entry in the second column and substituting the figure “\$8,000”;
- (iii) by inserting in their appropriate numerical order as appears in the first column, the following in their respective columns:

“17A (1)	For an application by a company with a name ending in section 17 (1) to pursue charitable or non-commercial purposes	\$100
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17A (3)	For approval of an application by a company with a name ending in section 17(1) to pursue charitable or non-commercial purposes	\$200
17B (1)	For an application by a company for authorisation to incorporate a company under a name or change the name of a company to another name that does not include a name ending in section 17 (1)	\$100
	For approval of an application by a company for authorisation to incorporate a company under a name or change the name of a company to another name that does not include a name ending in section 17(1)	\$200
189A	For registration of a notice of resignation as registered agent of a foreign company	\$100
193B (1)	For a subsequent application for registration under section 186 of a foreign company previously removed from the Register of Foreign Companies, if the application for registration is made	
	(a) within 12 months from the date of removal of the company from the Register	\$550
	(b) more than 12 months after the date of removal of the company from the Register	\$1,000

200 (3)	(a) For application for consent of the Commission to put a company into voluntary liquidation	\$100
	(b) For approval by the Commission of proposed voluntary liquidator	\$200
205A (2)	For consent of the Commission for a regulated person to appoint an additional voluntary liquidator	\$250
205B (6)	For filing of resignation by a voluntary liquidator	\$75
205C (7)	For filing a copy of a Court order removing a voluntary liquidator	\$100
205D (2)	For consent of the Commission for a regulated person to appoint a replacement voluntary liquidator	\$100
205D (3)	For filing a notice of appointment of a replacement voluntary liquidator	\$200”;

- (iv) by deleting the reference to section “93(4), (5) and (6)” in the first column and substituting section “93(2), (2A) and (6)”;
- (v) by deleting the references to sections “118B(1)”, “118B(3)” and “118B (6)” in the first column together with the entries in the second and third columns respectively, and substituting the following:

“118B (1)	For filing a copy of a register of directors for registration by the Registrar	\$100
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118B (3)	For filing a copy of a register containing a change to the register of directors	\$50
118B (4)	Provision by the Registrar of a list of directors upon request	\$75”;

- (vi) in relation to the reference to section “174(2) (b)” in the first column, by deleting the figure “\$1,000” in the third column as it corresponds to the entry in the second column and substituting the figure “\$2,500”;
- (vii) by deleting the reference to section “184(3)” in the first column together with the entries in the second and third columns respectively, and substituting the following:

“184 (1B)	For filing of a notice of intention to continue as a company incorporated under the laws of a jurisdiction outside the Virgin Islands	\$250
184 (1C)	For filing a notice of rescission to continue as a company incorporated under the laws of a jurisdiction outside the Virgin Islands	\$100
184 (3)	For the registration of a notice to continue as a company incorporated under the laws of a jurisdiction outside the Virgin Islands	\$2,500”;

- (viii) in relation to the reference to section “187” in the first column, by deleting the figure “\$500” in the third column as it corresponds to the entry in the second column and substituting the figure “\$550”;
- (ix) by deleting the reference to section “217” in the first column together with the entries in the second and third columns respectively and substituting the following:

“217	For application to restore (after dissolution) the name of a company to the Register by the	
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	Registrar, if the application is made:	
	(a) within 12 months from the date of dissolution of the company	\$200
	(b) more than 12 months after the date of dissolution of the company	\$400
	For restoration of the name of a company to the Register by the Registrar and issuance of certificate of restoration, if the application for restoration (after dissolution) was made:	
	(a) within 12 months from the date of dissolution of the company	\$500
	(b) more than 12 months after the date of dissolution of the company	\$1,200”;

- (x) by deleting the reference to section “218B” in the first column together with the entries in the second and third columns respectively and substituting the following:

“218B	For filing a sealed copy of the Court’s order of restoration (after dissolution) of a company to the Register by the Registrar, if the application to the Court for restoration was made:	
	(a) within 12 months from the date of dissolution of the company	\$400
	(b) more than 12 months after the date of	\$600

	<p>dissolution of the company</p> <p>For restoration of the name of a company to the Register by the Registrar on a Court order and issuance of certificate of restoration, if the application to the Court for restoration was made:</p> <p>(a) within 12 months from the date of dissolution of the company</p> <p>(b) more than 12 months after the date of dissolution of the company</p> <p>For filing with the Registrar a statement of completion of liquidation or receivership</p>	<p>\$2,000</p> <p>\$4,000</p> <p>\$100”;</p>
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- (xi) in relation to the reference to section “233” in the first column, by inserting after the last entries in the second and third columns respectively, the following:

	<p>“For the inspection of:</p> <p>(a) the Registers maintained by the Registrar under section 230 (1)</p> <p>(b) any other qualifying document retained by the Registrar in accordance with section 230 (4)</p>	<p>\$50</p> <p>\$100”;</p>
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- (xii) in relation to the reference to section “235”, by deleting the figure “\$50” in the third column as it corresponds to the entry in the second column and substituting the figure “\$100”;

- (xiii) in relation to the reference to section “236” in the first column, by deleting the figures “\$450, \$1,200, \$450, \$1,350, \$2,650, \$7,500, \$500” in the third column as they correspond to paragraphs (a)(i), (ii), (iii), (iv) and (v), (b) and (c) in the second column and respectively substituting the figures “550, \$1,350, \$550, \$1,500, \$3,000, \$8,000, \$550”; and
- (b) in Part II, paragraph 2A
 - (i) by adding the word “or” after the semi-colon in subparagraph (1)(a);
 - (ii) by deleting the semi-colon at the end of subparagraph (1)(b) and substituting a full-stop;
 - (iii) by deleting sub-subparagraph (1)(c); and
 - (iv) by deleting subparagraphs (1A), (1B), (1C) and (2).

Made by the Cabinet this 6th day of October, 2022.

(Sgd.) Vicki Samuel-Lettsome,
Acting Cabinet Secretary.