

## Foundation restoration to the register - Administrative restoration guidance

---

The Registrar may restore a Foundation to the Register if an application is received from the Council, Guardian or Resident Agent within 5 years of the date of the strike off and with the consent of the default recipient - under Regulation 10 of the The Foundations (Guernsey) (Strike Off) Regulations, 2014.

In order to restore the Foundation, the Registrar will need:

- evidence that notice of the application has been given to all recipients.
- any documents or information outstanding at the time the Foundation was struck off are provided.
- any fees or charges outstanding at the time the Foundation was struck off are paid (including any later filing fees).
- an explanation of the reasons for strike off and restoration.

The Registrar will also consult with Her Majesty's Procureur and The Guernsey Financial Services Commission before an application is determined.

In addition to any outstanding fees and charges, an application to restore the Foundation to the Register will cost £1,500.

If the Registrar decides to restore the Foundation the relevant entry of the action will be made in the Register and the Registrar will notify the applicant in writing within 5 days of the date of the decision.

Please note that the Registrar may restore the Foundation to the Register under a different name if the previous name is no longer available.

If the Registrar decides not to restore a Foundation to the Register, the Registrar must notify the applicant in writing within 5 days of the date of that decision, and the applicant may then apply to the Court within 2 months of the date of the Registrar's decision for the Restoration of the Foundation to the Register.

Where a Foundation is restored to the Register it shall be deemed to have continued in existence as if the strike off had never occurred and any assets transferred on strike off to the default recipient shall be returned to the Foundation.