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3 September 2026

London | Hong Kong | Singapore | Dubai | Abu Dhabi

Dear DBT

Incompatibility of PSC and ROE registers with data protection and data security

I am an English solicitor and a partner of Mishcon de Reya LLP.

- Because of my professional activity, personal data has been included in the public section of the Companies House Register, which now also contains information about "Persons with Significant Control" (**PSCs**) under rules introduced by David Cameron's government in 2015¹ and since extended to property holding entities under rules rushed in by Boris Johnson's government in 2022 (the whole legislative process for the **ROE** rules took just [two weeks](#)).
- Following the well-known [data breach](#) earlier this year, on 15 March 2026 I filed a UK GDPR complaint with Companies House and the ICO². Companies House issued an apology on 17 March 2026 but refused to remove my personal data from its public register.
- Previously, on 22 November 2022 the Court of Justice of the European Union (**CJEU**) held that public registers of beneficial ownership, which the EU introduced following the UK's lead in 2015, were illegal, on the basis that they violated individuals' fundamental rights to privacy and data protection ([C-601/20](#)), which I discussed in this Discussion Document issued by the EU (at [page 6](#)).
- **Today, the CJEU confirmed** that a national register giving public access to the identity of shareholders of private companies is incompatible with the GDPR ([C-798/24](#)).
- As far as I can see, the only pronouncement made by the UK government in relation to the compatibility of the UK's public registers with fundamental rights to privacy and data protection is contained in the following terse sentence in a [policy paper](#) published by your predecessor (BEIS) under the Truss government in January 2023:
 - 6 Having analysed the CJEU ruling and re-evaluated the ECHR compatibility of the PSC and ROE regimes, the Government continues to assess that they are compliant with Article 8 [ECHR].
- Beyond the amateurism of Companies House (who blamed a "glitch"), more recent data breaches affecting central registers in Europe (including various registers in Latvia and

¹ See Part 21A (sections 790A to 790ZG) of the Companies Act 2006, introduced by the Small Business, Enterprise and Employment Act 2015 and significantly updated by the Economic Crime and Corporate Transparency Act 2023 (ECCTA), which implemented a [pledge](#) made by the then Prime Minister at a G8 meeting hosted by the UK in 2013.

² Ref. XW2457T7 and IC-495730-H2G0 respectively.

Liechtenstein), as well as a cyber-attack against the French Tax System, and warnings against the cyber-risks of agentic AI from Andrew Bailey and Christine Lagarde, have led me to [write to the European Commission requesting](#) a moratorium on central registers of beneficial ownership pending an assessment relating to their legality and data security.

- In light of the today's judgment from the CJEU, the recent breach at Companies House, and the mounting evidence relating to the disproportionate cyber risks posed by government databases created through the bulk collection and retention of sensitive personal and financial data, could you please:
 - Release to me all internal correspondence and documents, including any electronic messages and Data Protection Impact Assessments (**DPIAs**) (with the exception of documents and messages covered by legal privilege) relating to the assessment of the compatibility of PSC and ROE registers with individuals' fundamental rights under the GDPR / the UK GDPR (in particular the principle of data minimisation) and the European Convention on Human Rights (**ECHR**) / the Human Rights Act 1998, in accordance with the provisions of the Freedom of Information Act;
 - Comment on today's judgment from the CJEU (as well as the previous *Sovim* judgment) and in particular their impact for the compatibility of the public section of the Companies House Register, including the PSC and ROE sections, with the rights enshrined in the UK GDPR and Article 8 ECHR, noting the relevance of CJEU case law for "retained"/"assimilated" law ³, including the GDPR, which has been [retained](#) in UK law as the UK GDPR;
 - Ask or instruct Companies House, which is now an Executive Agency of your Department, to provide me with a copy of their DPIAs in relation to the public section of their register, including the PSC and ROE register; and
 - Ask or instruct Companies House to suspend the public section of its registers pending a legal review of the relevance of the CJEU law for the Companies House register, including the PSC and ROE, and a forensic review of the data security measures in place to protect the sensitive personal data of people like me, taking into account the existing data breach in March 2026.
- While this letter relates to my own personal data, I have spoken to several clients who confirmed that they are affected by the same issues and share the same concerns in relation to data protection and data security by virtue of their data being included in the various public registers of beneficial ownership introduced by the UK government over the past decade.

Best regards,



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Partner

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³ As provided by section 6 of the European Union (Withdrawal) Act 2018 and the Retained EU Law (Revocation and Reform) Act 2023; see e.g. *Lipton and another v BA Cityflyer Ltd* [2024] UKSC 24, *Harrison v Cameron* [2024] EWHC 1377 (KB).