

SCHEDULE

NAMES AND REGISTERED OFFICES

PART I

NAMES

Change of name

- 4.—(1) A limited liability partnership may change its name at any time.
- (2) Where a limited liability partnership has been registered by a name which—
- (a) is the same as or, in the opinion of the Department, too like a name appearing at the time of registration in the index kept under Article 663(1) of the Companies (Northern Ireland) Order 1986, or
 - (b) is the same as or, in the opinion of the Department, too like a name which should have appeared in the index at that time,

the Department may within 12 months of that time in writing direct the limited liability partnership to change its name within such period as the Department may specify.

- (3) If it appears to the Department—
- (a) that misleading information has been given for the purpose of the registration of a limited liability partnership by a particular name, or
 - (b) that undertakings or assurances have been given for that purpose and have not been fulfilled,

the Department may, within 5 years of the date of its registration by that name, in writing direct the limited liability partnership to change its name within such period as the Department may specify.

(4) If in the Department's opinion the name by which a limited liability partnership is registered gives so misleading an indication of the nature of its activities as to be likely to cause harm to the public, the Department may in writing direct the limited liability partnership to change its name within such period as the Department may specify.

(5) But the limited liability partnership may, within 3 weeks from the date of the direction apply to the High Court to set it aside and the Court may set the direction aside or confirm it and, if it confirms it, shall specify the period within which it must be complied with.

(6) Where a direction has been given under sub-paragraph (2), (3) or (4) specifying a period within which a limited liability partnership is to change its

name, the Department may at any time before that period ends extend it by a further direction in writing.

(7) If a limited liability partnership fails to comply with a direction under this paragraph—

(a) the limited liability partnership, and

(b) any designated member in default,

commits an offence.

(8) A person guilty of an offence under sub-paragraph (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.