

**2004 No. 334**

**COMPANIES**

**BUSINESS NAMES**

**The Company and Business Names (Amendment)  
Regulations (Northern Ireland) 2004**

*Made - - - - - 10th August 2004*

*Coming into operation 20th September 2004*

The Department of Enterprise, Trade and Investment(**a**), in exercise of the powers conferred on it by Article 39 of the Companies (Northern Ireland) Order 1986(**b**) and Articles 5 and 8 of the Business Names (Northern Ireland) Order 1986(**c**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

**1.** These Regulations may be cited as the Company and Business Names (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 20th September 2004.

**2.** In these Regulations –

“the 1984 Regulations” means the Company and Business Names Regulations (Northern Ireland) 1984(**d**);

“the Order” means the Business Names (Northern Ireland) Order 1986.

**3.—**(1) The 1984 Regulations shall be amended as follows.

(2) In regulation 3(1), after the word “Schedule”, insert the following –

“(together with the plural and the possessive forms of those words and expressions)”.

(3) In regulation 3(2), after the word “expression”, insert the following –

“(and the plural and the possessive forms of that word or expression)”.

**4.—**(1) Column 1 of the Schedule to the 1984 Regulations shall be amended as follows.

(2) The words “Building Society” shall be deleted.

(3) The words “Breed”, “Breeder”, “Breeding” and “Nursing Home” and the words appearing opposite them in column 2 shall be deleted.

(4) For the words from “Chamber of Commerce” to “Chamber of Trade” there shall be substituted the following –

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(a) Formerly the Department of Economic Development, *see* S.I. 1999/283 (N.I. 1) Article 3(5)

(b) S.I. 1986/1032 (N.I. 6)

(c) S.I. 1986/1033 (N.I. 7)

(d) S.R. 1984 No. 49

“Chamber (or Chambers) of Business  
Chamber (or Chambers) of Commerce  
Chamber (or Chambers) of Commerce and Industry  
Chamber (or Chambers) of Commerce, Training and Enterprise  
Chamber (or Chambers) of Enterprise  
Chamber (or Chambers) of Industry  
Chamber (or Chambers) of Trade  
Chamber (or Chambers) of Trade and Industry  
Chamber (or Chambers) of Training  
Chamber (or Chambers) of Training and Enterprise”.

5.—(1) Articles 4 and 5 of the Order do not apply to the carrying on of a business by a person under a name which includes any word or expression specified for the purposes of those Articles by virtue of the amendments made by regulations 3(2), 3(3) and 4(4), if –

- (a) he carried on that business immediately before 20th September 2004; and
- (b) he continues to carry it on under the name which immediately before that day was its lawful business name.

(2) Nor do Articles 4 and 5 of the Order apply to the carrying on of a business by a person to whom the business has been transferred on or after 20th September 2004 during the period of 12 months beginning with the date of transfer so long as he continues to carry it on under the name which was its lawful business name immediately before the date of transfer.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 10th August 2004.

(L.S.)

*James McKeown*

A senior officer of the Department of Enterprise, Trade and Investment

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

1. These Regulations amend the Company and Business Names Regulations (Northern Ireland) 1984 (“the 1984 Regulations”). The 1984 Regulations specify certain words and expressions for the purposes of Article 36 of the Companies (Northern Ireland) Order 1986 and Article 4 of the Business Names (Northern Ireland) Order 1986. Under those Articles the Department’s approval is required for the use of such words and expressions in (respectively) a company or a business name.

2. These Regulations amend the 1984 Regulations by deleting the words “Building Society”, “Breed”, “Breeder”, “Breeding” and “Nursing Home” and by substituting for the expressions “Chamber of Commerce”, “Chamber of Industry” and “Chamber of Trade”, the expressions specified in regulation 4(4). Regulation 3 inserts a reference to the plural and possessive forms of the words or expressions specified.

3. The amendments to the 1984 Regulations made by regulations 3(2), 3(3) and 4(4) are subject to transitional provisions in regulation 5. These allow the continued use, in certain circumstances, of a business name containing expressions specified in regulations 3(2), 3(3) and 4(4) where that name was lawfully used before the coming into operation of these Regulations.

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Published by The Stationery Office Limited

ISBN 0-337-95624-3



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