

STATUTORY INSTRUMENTS

2015 No. 17

The Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015

PART 5

Business Names

“Limited” and permitted alternatives

16.—(1) A person must not carry on business in the United Kingdom under a name that concludes with any word or abbreviation set out in inverted commas in paragraph 1(a) or (b) of Schedule 2 unless that person is—

- (a) a company or an overseas company registered in the United Kingdom by that name;
- (b) an overseas company incorporated with that name;
- (c) a society registered under the Co-operative and Community Benefit Societies Act 2014 ^{M1} or the Industrial and Provident Societies Act (Northern Ireland) 1969 ^{M2} by that name;
- (d) an incorporated friendly society (as defined in section 116 of the Friendly Societies Act 1992 ^{M3}) which has that name; ^{F1}...
- (e) a company to which section 1040 of the Act (companies authorised to register under the Companies Act 2006) applies which has that name; [^{F2}or]
- [^{F3}(f) a company registered under Part 4 of the Risk Transformation Regulations 2017 with that name.]

(2) A person must not carry on business in the United Kingdom under a name that concludes with any word or abbreviation specified as similar to any word or abbreviation set out in inverted commas in paragraph 1(a) or (b) of Schedule 2.

Textual Amendments

- F1** Word in reg. 16(1)(d) deleted (8.12.2017) by [The Risk Transformation Regulations 2017 \(S.I. 2017/1212\)](#), reg. 1(2), [Sch. 4 para. 7\(a\)\(i\)](#) (with regs. 189, 191)
- F2** Word in reg. 16(1)(e) inserted (8.12.2017) by [The Risk Transformation Regulations 2017 \(S.I. 2017/1212\)](#), reg. 1(2), [Sch. 4 para. 7\(a\)\(ii\)](#) (with regs. 189, 191)
- F3** Reg. 16(1)(f) inserted (8.12.2017) by [The Risk Transformation Regulations 2017 \(S.I. 2017/1212\)](#), reg. 1(2), [Sch. 4 para. 7\(a\)\(iii\)](#) (with regs. 189, 191)

Marginal Citations

- M1** 2014 c.14.
- M2** 1969 c.24 (N.I.).
- M3** 1992 c.40; to which there are amendments not relevant to these Regulations.

Other indications of legal form

17.—(1) A person must not carry on business in the United Kingdom under a name that includes any expression or abbreviation set out in inverted commas in paragraph 3 of Schedule 2 unless that person is such a company, partnership, grouping or organisation as is indicated in that expression or abbreviation.

(2) A person must not carry on business in the United Kingdom under a name that includes any expression or abbreviation specified as similar to any expression or abbreviation set out in inverted commas in paragraph 3 of Schedule 2.

Names with connection to Public Authorities

18.—(1) Each of the persons and bodies set out in column (1) of Schedule 4 is specified for the purposes of section 1193 of the Act.

(2) In connection with an application for the approval of the Secretary of State under section 1193 of the Act in relation to a name that would be likely to give the impression of a connection with a public authority set out in column (1) of Schedule 4 the applicant must seek the view of the Government department or other body set out opposite that public authority in column (2) of Schedule 4.

Savings and Transitional provisions

19.—(1) Regulation 17 does not apply to the carrying on of a business under a name by a person who—

- (a) carried on that business under that name immediately before these Regulations came into force; and
- (b) continues to carry it on under that name,

if it was lawful for the business to be carried on under that name immediately before these Regulations came into force.

(2) Regulation 17 does not apply to the carrying on of a business under a name by a person to whom the business is transferred on or after the date on which these Regulations came into force—

- (a) where that person continues to carry on the business under that name; and
- (b) where it was lawful for the business to be carried on under that name immediately before the transfer,

during the period of 12 months beginning with the date of the transfer.

(3) Regulation 18 does not apply to the carrying on of a business by a person who—

- (a) carried on the business immediately before the date on which these Regulations came into force, and
- (b) continues to carry it on under the name that immediately before that date was its lawful business name.

(4) Regulation 18 does not apply in relation to the carrying on of the business under that name during the period of twelve months beginning with the date of the transfer where—

- (a) a business is transferred to a person on or after the date on which these Regulations came into force, and
- (b) that person carries on the business under the name that was its lawful business name immediately before the transfer,

(5) In this regulation “lawful business name”, in relation to a business, means a name under which the business was carried on without contravening the provisions of Chapter 1 of Part 41 of the Act.

Changes to legislation:

There are currently no known outstanding effects for the The Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015, PART 5.