
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 335

**Open-Ended Investment Companies
Regulations (Northern Ireland) 2004**

PART II

FORMATION, SUPERVISION AND CONTROL

Names

Registrar's approval of names

18.—(1) Where, in respect of a proposed open-ended investment company, it appears to the Authority that the requirements of regulation 14(1)(a) to (c) and (e) are or will be met, the Authority must notify the registrar of the name by which it is proposed that the company should be incorporated.

(2) Every open-ended investment company must obtain the Authority's approval to any proposed change in the name by which the company is incorporated and the Authority must notify the registrar of the proposed name.

(3) If it appears to the registrar that the provisions of regulation 19(1) are not contravened in relation to the proposed name, he must notify the Authority to that effect.

Prohibition on certain names

19.—(1) No open-ended investment company is to have a name that –

(a) includes any of the following words or expressions, that is to say –

(i) limited, unlimited or public limited company; or

(ii) European Economic Interest Grouping or any equivalent set out in Schedule 3 to the European Economic Interest Grouping Regulations (Northern Ireland) 1989⁽¹⁾;

(b) includes an abbreviation of any of the words or expressions referred to in subparagraph (a); or

(c) is the same as any other name appearing in the registrar's index of company names.

(2) In determining for the purposes of paragraph (1)(c) whether one name is the same as another, there are to be disregarded –

(a) the definite article, where it is the first word of the name;

(b) the following words and expressions where they appear at the end of the name –

“company”;

“and company”;

⁽¹⁾ [S.R. 1989 No. 216](#). The Regulations were modified by virtue of section 2(1) of the European Economic Area Act [1993 \(c. 51\)](#) so that, for any limitation in the Regulations that proceeds by reference to the Communities, there is substituted a corresponding limitation relating to the European Economic Area

- “company limited”;
- “limited”;
- “unlimited”;
- “public limited company”;
- “European Economic Interest Grouping” or any equivalent set out in Schedule 3 to the European Economic Interest Grouping Regulations (Northern Ireland) 1989;
- “investment company with variable capital”;
- “open-ended investment company”;
- (c) abbreviations of any of those words or expressions where they appear at the end of the name; and
- (d) type and case of letters, accents, spaces between letters and punctuation marks; and “and” and “&” are to be taken as the same.

Registrar’s index of company names

20.—(1) Upon making an authorisation order in respect of an open-ended investment company or upon approving any change in the name of such a company, the Authority must notify the registrar of the name by which the company is incorporated or, as the case may be, of the company’s new name.

(2) Article 663(2) of the 1986 Order (registrar’s index of company and corporate names) has effect as if the bodies listed in paragraph (1) of that Article included –

- (a) open-ended investment companies in respect of which an authorisation order has come into effect; and
- (b) collective investment schemes which are open-ended investment companies and which have a head office situated in Great Britain.

(2) Article 663 was amended by [S.R. 1993 No. 198](#) and by paragraph 1 of Part I of the Schedule to the Limited Liability Partnerships Act (Northern Ireland) 2002 (c. 12 (N.I.))